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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF INDIANA,

BEING THE

TWENTIETH SESSION

OF THE

GENERAL ASSEMBLY,

COMMENCED AT INDIANAPOLIS

ON MONDAY, THE SEVENTH DAY OF DECEMBER, 1835.

INDIANAPOLIS.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

AT THE TWENTIETH SESSION

OF THE

GENERAL ASSEMBLY OF THE STATE OF INDIANA,

Begun and held at the Capitol, in the Town of Indianapolis, on Monday the seventh day of December, in the year of our Lord one thousand eight hundred and thirty-five, being the day appointed by Law for the meeting of the General Assembly.

The following members of the House of Representatives appeared and took their seats, to-wit:

From the county of Wayne—Martin M. Ray, Joseph Curtis, Richard J. Hubbard, and Daniel Clark.

From the county of Dearborn—Henry Walker, Thomas Howard, and Milton Gregg.

From the county of Washington—Marston G. Clark and Robert Strain.

From the county of Orange—Joel Vandever and John Murray.

From the county of Lawrence—Richard W. Thompson and Noah Boone.

From the county of Jefferson—Milton Stapp and John Chambers.

From the county of Rush—Marinus Willett and Alfred Posey.

From the county of Harrison—George P. R. Wilson and John Zenor.

From the county of Putnam—John C. Chiles and Daniel Harrow.

From the county of Fountain—Thomas J. Evans and William Templeton.

From the county of Tippecanoe—Thomas B. Brown and James Davis.

From the county of Franklin—John M. Johnston and Enoch McCarty.

From the county of Fayette—Caleb B. Smith and Phillip Mason.

From the county of Union—William H. Bennett and William Watt.

From the county of Clark—William G. Armstrong and John C. Huckleberry.

From the county of Posey—Jesse R. Craig.

From the county of Gibson—Smith Miller.

From the county of Crawford—Joseph N. Phelps.

From the county of Greene—Joseph P. Storm.

From the county of Owen—George W. Moore.

From the county of Monroe—Paris C. Dunning.

From the county of Sullivan—Seth Cushman.

From the county of Warren—James H. Buell.

From the county of Switzerland—Joseph C. Eggleston.

From the county of Ripley—Thomas Smith.

From the county of Jennings—John Vawter.

From the county of Scott—Jesse Jackson.

From the county of Floyd—James Collins and Shepherd Whitman.

From the county of Clay—Daniel Harris.

From the county of Johnson—John S. Thompson.

From the county of Morgan—William H. Craig.

From the county of Hendricks—Christian C. Nave.

From the county of Shelby—John Walker.

From the county of Decatur—Samuel Bryan.

From the county of Henry—David Macoy.

From the county of Marion—Austin W. Morris.

From the county of Randolph—William Edwards.

From the counties of Delaware and Grant—David Kilgore.

From the county of Bartholomew—Thomas G. Lee.

From the county of Vigo—Elisha M. Huntington.

From the county of Jackson—John F. Carr.

From the counties of Vanderburgh and Warrick—Christian C. Graham.

From the counties of Perry and Spencer—Mason J. Howell.

From the counties of Pike and Dubois—Benjamin Edmonston.

From the county of Knox—John Myers and Robert N. Carnan.

From the counties of Daviess and Martin—Lewis Jones.

From the counties of Montgomery and Clinton—Henry Ristine and Henry Lee.

From the counties of Carroll, Cuss, White, and Miami—Gillis McBean.

From the counties of Hamilton and Boone and all the country north to the Great Miami reservation—Robert L. Hannaman.

From the counties of Madison and Hancock—Leonard Bardwell.

From the counties of Allen and Huntington, and the territory attached to the said several counties for judicial purposes—Lewis G. Thompson.

From the counties of Elkhart and Lagrange, and the Territory attached—Ebenzer M. Chamberlain.

From the counties of St. Joseph and Laporte, and the Territory attached—Jonathan A. Liston.

From the county of Vermillion—Stephen B. Gardner.

From the county of Parke—George K. Steele,

Who presented their credentials, and were sworn into office by the

Honorable Isaac Blackford, one of the Judges of the Supreme Court of this state.

The House then proceeded to the election of a Speaker, Messrs. Vandever and Liston acting as tellers, and on counting the first ballot, it appeared that Caleb B. Smith had 39 votes, Milton Stapp 33 votes, scattering 4 votes.

Caleb B. Smith having received a majority of all the votes given, was declared duly elected Speaker, and was conducted to the Chair by Messrs. Ray and Davis, whence he made his acknowledgements to the House.

Mr. Vandever moved that the House now proceed to the election of principal Clerk; whereupon,

Mr. Willett moved to amend said motion by substituting the following:

“Resolved, That this House proceed to the election of a Clerk who shall be solely responsible for the performance of all the duties of his station, with authority to employ such assistance as may be necessary, the Legislature to provide for the expense.

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Clark of Washington, Eggleston, Posey, and Willett—4

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Brown, Bryan, Buell, Carnan, Carr, Chamberlain, Chambers, Chiles, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Edmonston, Edwards, Evans, Gardner, Graham, Gregg, Hannaman, Harrow, Harris, Howard, Howell, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Jones, Kilgore, Lee of B., Lee of M. & C., Liston, Macey, Mason, McBean, McCarty, Miller, Moore, Morris, Murray, Myers, Nave, Phelps, Posey, Ray, Ristine, Smith, Stapp, Steele, Storm, Strain, Templeton, Thompson of A., Thompson of J., Thompson, of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, Willett, Wilson, Zenor, and Smith, Speaker—72.

So said amendment was not adopted.

The question then recurring on the motion of Mr. Vandever, was carried in the affirmative; whereupon,

The House proceeded to the election of a principal Clerk, Messrs. Vandever and Evans acting as tellers.

And upon taking the first ballot, it appeared that Henry P. Thornton was duly elected, having received 69 votes, scattering 7 votes, was sworn into office by the Honorable Isaac Blackford, and entered upon the discharge of his duties.

On motion of Mr. Davis, the House proceeded to the election of an assistant Clerk, Messrs. Davis and Kilgore acting as tellers.

And on counting the first ballot, it appeared that Jehu T. Elliott had

forty votes, James M. Stagg thirty three votes, scattering three votes. Jehu T. Elliott having received a majority of the whole number of votes given, was declared duly elected, was sworn into office by the Honorable Isaac Blackford, and entered upon the discharge of his duties.

On motion of Mr. Bennett, the House proceed to the election of an enrolling Clerk, Messrs. Bennett and Dunning acting as tellers.

On the first ballot,

Abner M. Bradberry received 23 votes,
Samuel J. Stewart received 29 votes,
George A. Hannegan received 24 votes.

No person having received a majority of the votes given, the House proceeded to a second balloting, when it appeared that

Abner M. Bradberry received 20 votes,
Samuel J. Stewart 33 votes,
George A. Hannegan 23 votes.

No person having received a majority of all the votes, the House then proceeded to a third balloting, when it appeared that

Samuel J. Stewart received 50 votes,
George A. Hannegan 26 votes.

Samuel J. Stewart having received a majority of all the votes given, was declared duly elected, was sworn into office by the Hon. Isaac Blackford, and entered upon the discharge of his duties.

And on motion of Mr. Vawter,
The House adjourned.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Kilgore moved the adoption of the following resolution:

Resolved, That this House elect a Sergeant at arms, who shall have power to appoint an assistant or assistants, to aid in preserving order in the lobbies and galleries, and in all things to discharge the duties heretofore performed by the Door-keeper and assistants. The pay of all of whom shall be provided for by Law.

Mr. Evans moved to amend said resolution by striking out so much thereof as authorizes the Sergeant at arms to perform the duties of Door-keeper, whereupon

Mr. Kilgore withdrew the same.

On motion of Mr. Macey,

The House proceeded to the election of a door-keeper, Messrs. Macey and Thompson acting as tellers.

On the third ballot James Fisler having received a majority of all the votes, was declared duly elected, was sworn into office by the Hon. Isaac Blackford and entered upon the discharge of his duties.

A message from the Senate by Mr. Morrison, their principal Secretary.

Mr. SPEAKER—

I am directed by the Senate to inform the House of Representatives that the Senate have assembled, formed a quorum, elected James Morrison Secretary, William C. Foster assistant Secretary, Hudson Parke enrolling Secretary, William S. Lamb Sergeant at arms, and Oliver Morse door-keeper, and that they are ready to proceed to legislative business.

The Senate have adopted on their part the joint rules which were in force for the Government of the last General Assembly, as the rules of joint action during the present session, to which the concurrence of the House of Representatives is requested.

Whereupon, on motion of Mr. Willett,

So much of said message as relates to the adoption of the joint rules was laid on the table.

Mr. Evans moved the adoption of the following resolution:

Resolved, That this House now proceed to the election of Sergeant at arms.

Which, on motion of Mr. Vawter, was laid on the table.

Mr. Huckleberry moved the adoption of the following resolution:

Resolved, That the Clerk of this House inform the Senate that the House of Representatives have convened, formed a quorum, elected Caleb B. Smith Speaker, Henry P. Thornton principal Clerk, J. T. Elliott assistant Clerk, and James Fidler door-keeper, and are now ready to proceed to legislative business.

Mr. Willett moved to amend said resolution, by substituting in lieu of the Clerk of this House, a committee of three members;

Which motion was not adopted.

And the question recurring on the adoption of the resolution, was decided in the affirmative.

Mr. Kilgore moved the adoption of the following resolution:

Resolved, That a select committee be appointed to draft and report to this House, standing rules and orders for their government during the present session, and that in the mean time, the rules adopted at the last session for its government, be recognized as the rule of action in this House.

And on the question, shall said resolution be adopted.

It was decided in the negative.

Mr. Vawter moved the adoption of the following resolution:

Resolved, That the rules and joint rules adopted at the last session of the General Assembly, by the House of Representatives, for their government be, and the same are hereby adopted, for the government of the House of Representatives during the present session, and that the Senate be informed that we reciprocate the resolution of the Senate, adopting the rules and joint rules of the last session.

Which was read, whereupon, Mr. Stapp moved to except the 24th

section of the printed rules, and insert in lieu thereof the following:

The previous question shall be in this form, "shall the main question be now put," and shall only be admitted when demanded by a majority of the House, and until it is decided, shall preclude all amendment and further debate of the main question.

Which said resolution together with the amendment,

On motion of Mr. Huntington, were laid on the table.

Mr. Vandever moved the adoption of the following resolution:

Resolved, That the door-keeper of this House be instructed to contract with the editors of the Journal, Democrat, and Aurora, to furnish for distribution, at the expense of the State, five of their respective papers to each member and officer of this House as they are published during the session, to be delivered at their rooms respectively.

Mr. Davis moved to amend said resolution by striking out "five" and inserting in lieu thereof "seven."

Mr. Stapp moved a division of said question; and the question of striking out being put, was decided in the negative.

Mr. Armstrong then moved a reconsideration of said question of striking out, which was decided in the negative.

And the question recurring on the adoption of the resolution, it passed in the affirmative.

On motion of Mr. Thompson of L.,

Resolved, That Douglass and Noel, Bolton & Emmons, M. M. Henkle, Thomas Dowling, editors of the Journal, Democrat, Aurora, and Wabash Courier, together with the editors of any other public newspaper, who may apply for that purpose, be admitted within the bar during the present session, as reporters of the proceedings of this House, and that seats shall be assigned them by the Speaker accordingly.

On motion of Mr. Macey,

The House then adjourned until to-morrow morning.

TUESDAY MORNING, DEC. 8, 1835.

The House met pursuant to adjournment.

Mr. Willett moved the adoption of the following resolution:

Resolved, That the several Clergymen in the town of Indianapolis having charge of religious congregations, be requested to furnish one of their number to attend with the Speaker each morning and open this House with prayer.

Mr. Dunning moved to amend said resolution by striking it out from its resolving clause and insert in lieu thereof the following:

That a committee of one be appointed on the part of this House, to act with a similar committee to be appointed by the Senate, to wait on the Rev. John C. Smith and request him to attend in the representatives Hall, *instantly*, to open the present session of the General Assembly

by solemn prayer, and that the Senate be requested to reciprocate this resolution, and that seats be provided for them on the right of the Speaker's Chair.

Mr. Clark of Washington moved to indefinitely postpone the further consideration of said resolution.

Whereupon, Mr. Vawter moved to lay said resolution on the table.

Mr. Willett then withdrew the same.

Mr. Dunning moved the adoption of the following resolution:

Resolved, That a committee of one be appointed on the part of this House, to act with a similar committee to be appointed by the Senate, to wait on the Rev. John C. Smith and request him to attend in the Representatives' Hall, *instantly*, to open the present session of the General Assembly by solemn prayer, and that the Senate be requested to reciprocate this resolution, and that seats be provided for them on the right of the Speaker's Chair.

Mr. Willett moved to amend said resolution, by striking it out from its resolving clause and, insert in lieu thereof the following:

That the several Clergymen in the town of Indianapolis, having charge of religious congregations be requested to furnish one of their number to attend with the Speaker, each morning, and open this House with prayer.

And the question then being put on the amendment, was decided in the negative.

And the question then recurring on the original resolution, was decided in the affirmative.

On motion of Mr. Craig of P.,

Resolved, That the Secretary of State be requested to furnish each member of this House with a copy of the Journals of last session, local and general acts, revised code, and a copy of the militia law.

On motion of Mr. Huntington,

The resolution laid on the table yesterday, relating to the rules and joint rules of this House, was taken up and referred to a select committee of Messrs. Huntington, Stapp, Kilgore, and Clark of Washington.

On motion of Mr. Thompson of L.,

Resolved, That a committee of two on the part of this House, be appointed to act with a similar committee, to be appointed on the part of the Senate, to wait on His Excellency the Governor, and inform him that the two Houses of the General Assembly have convened, elected their officers, and are ready to receive any communication he may be pleased to make to them, and to ascertain of him at what time he will make such communication.

Whereupon,

The Speaker appointed Messrs. Thompson of L. and Morris that committee.

On motion of Mr. Evans,

The resolution relating to the election of a Sergeant at arms for this House, laid on the table on yesterday, was taken up and adopted; and

Thereupon,

The House proceeded to the election of a Sergeant at arms, Messrs. Evans and Vawter acting as tellers.

And on counting the first ballot, it appeared that

Marks Crume	received	25 votes,
Levi P. Lockhart	received	13 votes,
John Hargrove	"	15 votes,
McRae	"	5 votes,
Albertson	"	5 votes,
Hall	"	5 votes,
Scattering	"	8 votes.

No person having received a majority of all the votes, the House proceeded to a second balloting, when it appeared that

Marks Crume	had	24 votes,
Levi P. Lockhart	had	19 votes,
John Hargrove	had	28 votes,
Scattering		5 votes.

No person having a majority of all the votes given, the House proceeded to a third balloting, when it appeared that

John Hargrove	had	40 votes,
Marks Crume	had	24 votes,
Levi P. Lockhart	had	12 votes.

John Hargrove having received a majority of all the votes given, was declared duly elected, was sworn into office and entered upon the discharge of his duties.

A message from the Senate by Mr. Morrison their Secretary:

Mr. SPEAKER—

I am directed by the Senate to inform the House of Representatives, that the Senate have reciprocated the resolution of the House, appointing a committee to wait on the Rev. John C. Smith, to request him to attend in the Representatives' Hall *instantly*, to open the present session of the General Assembly by prayer; and have appointed Mr. Plummer a committee for that purpose, on the part of the Senate.

The Senate have also reciprocated the resolution of this House, appointing a committee to wait on His Excellency the Governor, and inform him that the two Houses of the General Assembly have convened, elected their officers, and are ready to receive any communication he may be pleased to make to them, and ascertain from him at what time he will make the communication, and that Messrs. Sigler and Payne, are appointed a committee on the part of the Senate.

On motion of Mr. Brown,

Resolved, That this House, with the concurrence of the Senate will

proceed to the election of President Judges and Prosecuting Attorneys, at 10 o'clock A. M. on Thursday next, and that the Senate be informed of the adoption of this resolution, and a concurrence on their part be requested.

On Motion of Mr. Morris,

Resolved, That the Commissioners of the State House, procure as soon as practicable, a sufficient number of settees to extend around this Hall; also a sufficient number of chairs, tables, and water stands for the committee rooms.

And on motion, the House adjourned.

2 o'clock P. M.

The House met pursuant to adjournment.

Mr. Dunning from the joint committee appointed to wait on the Rev. John C. Smith, and request him to open the present session of the General Assembly, by solemn prayer, reported that they had discharged that duty, and that the Rev. John C. Smith, would attend *instantly* for that purpose, in the Representatives' Hall.

On motion of Mr. Johnston,

Resolved, That the Senate be invited to attend *instantly*, in the Representatives' Hall, for the purpose of attending Divine Service, and that seats be provided for them on the right of the Speaker's chair.

The Senate then came into the Hall, and took their seats on the right of the Speaker's chair—the President of Senate on the right of the Speaker; when

The Rev. Mr. Smith came in, attended by the joint committee, appointed for that purpose, and addressed the Throne of Grace with solemn prayer.

Mr. Thompson of L. made the following report:

Mr. SPEAKER—

The joint committee of the Senate and House of Representatives, appointed to wait on His Excellency, the Governor, and inform him of the organization of both houses of the General Assembly, have discharged the duty assigned them, and have received from him information that he will meet both houses in the hall of the House of Representatives, at 3 o'clock P. M., on this day, and make his annual communication by his Private Secretary.

On motion of Mr. Huntington,

Resolved, That the lobby in rear of the Speaker's chair, be reserved exclusively for the use of the members and officers of this house, the members and officers of the Senate, the officers of State, and the judges of the Supreme and Circuit Courts, and that it be the duty of the Sergeant-at-Arms, and Door-keeper, to see that the provision of this resolution be observed.

Resolved further, That the Commissioners of the State House procure, if possible, the necessary quantity of cheap, common carpeting,

to cover the floors of the lobbies, and to have the same put down at the first convenient opportunity.

The Speaker laid before the House the following communication from the committee of the State Agricultural Society.

8th December, 1835.

Hon. C. B. SMITH,

Speaker of the House of Representatives:

SIR—

In behalf of the State Board of Agriculture of Indiana, we respectfully solicit the use of the Hall of the House of Representatives on Monday evening next, (the 14th instant, for the first annual meeting of the State Agricultural Society, provided for by "an act for the encouragement of agriculture," approved Feb. 7, 1835; and also respectfully solicit the attendance and co-operation of the members of this House, in the deliberations of the meeting.

We have the honor to be,

Very respectfully &c.,

M. M. HENKLE, } Committee.
JOHN OWEN, }

Whereupon;

On motion, leave was granted said society, and

On motion, the Speaker appointed Messrs. Thompson of L. and Evans, a select committee, to wait on the committee of the State Agricultural Society, and inform them thereof.

On motion of Mr. Vawter,

Resolved, That the Senate be invited to attend *instantly* in the Hall of the House of Representatives, for the purpose of hearing the message of His Excellency the Governor, delivered to both houses of this General Assembly, and that seats will be provided for them on the right of the Speaker's chair.

The Senate then came into the Hall and took their seats on the right of the Speaker's chair—the President of the Senate, on the right of the Speaker.

His Excellency then came in, attended by the joint committee appointed for that purpose, and in presence of both houses, by Mr. Ketcham his Private Secretary, delivered the following message:

GENTLEMEN OF THE SENATE, AND

OF THE HOUSE OF REPRESENTATIVES:

The duties pertaining to the Legislative branch of the Government have again called us together, and whilst giving you "information of the affairs of State, and recommending to your consideration such measures as shall be deemed expedient," it is a source of gratification to say, that the return of the time for our meeting has brought but little to deplore. The seasons, if not in their usual profusion, have yielded a sufficiency of the solid comforts of life. In the unprecedented acquisition to our population, with its consequent increase of wealth; in the enhanced value and demand for real estate; the ample reward of labor; the liberal compensation for the products of the soil,

and the bustle and activity to be seen all around us, we perceive evidences of prosperity seldom before enjoyed. And, whilst in other portions of the Union, scenes of irreverence for public law and good order, highly discreditable to our national character, have been exhibited, the citizens of this state have maintained their uniform respect for the authority of the laws which protect the life, liberty, and property of each. For these, and many other favors attendant upon our onward course, we are indebted to a kind and overruling Providence.

This is your first session in the new capitol, and from a conviction that the occasion will not fail to inspire feelings of exultation with you, I will not withhold, on my part, the offering of a hearty welcome and congratulation. It is an edifice worthy of the state, and being dedicated to the public interests, within these walls the representatives of the people will annually assemble to perform some of the most important duties ever delegated to man. The people, through their representatives will here speak their wishes, utter their complaints, and obtain remedies for their wrongs. And it should be the constant care of all who fill our stations, that their official acts, in spirit and precedent, shall tend to the perpetuation of our liberties, our state and national institutions.

In the return of the assessments under our present system, we have evidence of the usual increase, and an assurance that the revenue will equal the ordinary demands upon the treasury. The payments made from several sources, have enabled the treasurer to meet all demands without resorting, as yet, to the loan of the small sum authorized for the benefit of the State-house.

The aggregate receipts, since the last report, amount to \$107,714 63, and the payments towards the building of the capitol, and for all other purposes for the same period amount to \$103,901 43, which, with the balance reported in the hands of the treasurer, at the close of the last year, leaves in his hands an unexpended balance of \$6,137 34. The annual report of the Auditor and Treasurer will be made.

The operations on the line of the Wabash and Erie canal, have been conducted, the past season, with energy and great success. The middle division, extending from the St. Joseph Dam to the Forks of the Wabash, about thirty-two miles, has been completed for about \$232,000, including all repairs to this time, being something less than the estimated cost by Mr. Ridgeway. Upon this portion of the line, the navigation was opened on the 4th day of July, on which day our citizens, in assembled thousands, witnessed the waters of the St. Joseph mingling with those of the Wabash, uniting the waters of the northern chain of Lakes with those of the Gulf of Mexico in the south. On this division boats have been running, without the interruption of a day, since the letting in of the water.

The line from Huntington to Lafountain's creek has progressed with much spirit, and with the exception of the locks, is almost complete. Thirty-five sections have been finished and accepted, and without some preventing cause in the seasons of the next year, its navigation will be open by the 4th day of July next,

The line from Lafountain's creek to Georgetown, about twenty-two miles, was put under contract in the month of September, since which most of the sections have been commenced.

The large amount of additional duty imposed on the board and engineers, by the law providing for the new surveys, made the past season, one of great labor, and particularly to Mr. Williams, the chief engineer, whose presence was needed at so many points in planning and directing the field service.

Economy and public policy require that an additional portion of the line from Georgetown to Lafayette should be placed under contract the ensuing year; and that the commissioners shall be authorized and directed to let out that part of the line east of Fort Wayne, when it shall be ascertained that Ohio has commenced that part which she has undertaken to construct.

Owing to the great demand for landed property to supply the wants of the new population in the vicinity of the canal, the sales of the canal lands the past year have been unusually active. The sales since the last report of the commissioners have amounted to \$175,740 34. The experience we have had in converting those lands into available means and the rapid rise in the value of lands in that section of the state, will now justify the assertion that the unsold lands with the selections yet to be made, will be sufficient to complete the canal to its original termination, and that the people will never be called upon to pay any portion of its cost.

Towards the close of last session's deliberations, the legislature appointed Col. O. H. Smith, of Fayette county, their agent to visit the seat of government of Ohio, for the purpose of obtaining from the legislature of that state, then in session, permission to construct that portion of the White-water canal, which, pursuing the valley of that river, passes a short distance through her territory. That duty was promptly performed by Col. Smith, in delivering my communication covering the Joint Resolution of the General Assembly to Governor Lucas, who submitted it to the legislature of Ohio. The subject was referred to a committee, which, I regret to say, seemed to act under the impression that the White-water canal would be a rival of their Miami canal, and by withholding their assent, the business of the White-water country would be forced into the Miami canal, and made tributary to Ohio, and therefore reported unfavorably. That report, however, was not concurred in, and it is believed, that at the ensuing session of the legislature, a more liberal and enlightened policy will prevail, and we shall obtain the desired permission. But, if contrary to all reasonable and just expectations, the narrow and selfish policy recommended by the committee at their last session, should influence the subsequent action of the state, still we are not without a remedy, as from a recent examination, by Col. Stansbury, our principal Rail Road Engineer, it is ascertained that a much cheaper and shorter communication can be opened by means of a Rail Road commencing at or near Brookville, and connecting with the Lawrenceburgh and Indianapolis Rail way, at a distance of ten or twelve miles from the river. The loss

of time and trouble consequent upon the transshipment from the one mode of conveyance to the other, would, however, render the continuation of the canal to the Ohio much preferable. The communication of Col. Smith, in relation to the subject, is herewith laid before you.

In accordance with the authority granted them by law, the Fund Commissioners have borrowed for canal purposes, at an interest of five per cent. the sum of \$605,257 dollars. Upon the loan made early in the season, they received a premium of two per cent. and upon those made subsequently, they received as high as seven per cent. premium, or at the rates of one hundred and seven dollars for one hundred dollars of our bonds at five per cent. interest.—They have also borrowed the further sum of four hundred and fifty thousand dollars, the bank capital, at five per cent. interest, for which they receive a premium of four and a half, and five dollars on the hundred. Their report will be laid before you in proper time.

Of the three per cent. fund accruing to the State on account of the sales of the public domain at the United States land offices, the receipts at the treasury, the past year, amount to twenty-four thousand three hundred and ninety-eight dollars, leaving the sum of five thousand and five dollars to be supplied from future receipts to satisfy a balance of eighty-nine dollars, sixty-seven cents due to each county under the last appropriations. The sales at the United States land offices, within this state during the past year, must amount to one and a half million of dollars; consequently, the dividend of three per cent. to be received by the State the ensuing year, and probably for some time afterwards, will be larger than at any former period.

After meeting the unsatisfied claims upon this fund, it is for the Legislature to say, whether it will be advisable to anticipate our annual receipts by a loan for the purposes heretofore recommended, or make some other disposition of it. In its application, the claims of the new counties, having their roads yet to open, should not be overlooked.

Among the other sources of contribution to the treasury, the past year, the saline lands have produced by sales, rents, and interest on unpaid instalments, the sum of \$4,636 55.

The newly selected Michigan Road lands were exposed and sold at public out-cry in the month of September, and commanded an average price of four dollars and seventeen cents per acre, amounting to \$21,304 27: and subsequently, the private entries at three dollars per acre, amounted to \$809 04. Of the old selections, the sales since the last annual report of the commissioner, brought \$10,917 00—the entire receipts for the year amounting to \$33,030 31. These sums will absorb every claim upon the fund, leaving an unascertained balance of from one to two thousand dollars in the hands of the commissioner, which, with the proceeds of the 16,561 acres remaining unsold, will constitute the means applicable to future improvements.

That great thoroughfare—the Michigan Road—is the avenue through which we receive the accessions daily made to our population in the new districts, from the states south and east of us; their constant use of it in the green state of the improvements, with the heavy rains

of the season, have so greatly injured the road, that the convenience and interest of the public require that some repairs should be made. The remaining lands, at the minimum price will command 20,000, and it will remain for you to say whether you will anticipate their proceeds, or apply other means in maintaining the usefulness of the road.

The commissioners superintending the erection of the state house have performed the various duties confided to them, it is believed, in such a manner as will be satisfactory. In the changes made, they have aimed at permanency and durability, combining a just taste in the style and the finish. On account of the unfinished state of the grading, and the daily conveyance of materials to the ground, they have not deemed it advisable or safe to enclose the square. The want of further time has prevented the completion of the interior of some of the offices of the building, of the pavements of the porticoes, and of the railings to be built on the outside of the pillars of the senate chamber and representative hall, separating those apartments from the lobbies. The report of the commissioners will soon be submitted for your examination.

The appointment of a keeper by the Governor, as contemplated by law, has not yet been made.—The person to be appointed, it is believed, should visit the building every day during the recess of the legislature, and to protect it from injury, he should be present every day during the session, as at that time it will be most exposed. The compensation of seventy-five dollars per year allowed by law will not induce a competent individual to render so much service, and it is suggested that the agent, or keeper, shall also be the door keeper of one branch of the legislature, and made responsible if from neglect the building should be injured or defaced.

The projected improvements at the rapids of the Wabash river, under the joint superintendence of the commissioners, on the part of this state and of Illinois have not progressed so successfully as desired, in consequence of the repeated freshets of the Wabash and White rivers during the past season. Contracts for the removal of deposits of timber, and for other purposes, have been made at the points below the Grand Rapids, designated by the name of "Black's Cutoff," the "Grand Chain," Coffee Island," and the "White river Rapids," which when finished, will be a charge of about nine thousand dollars to the joint fund, exclusive of superintendence. The report of the commissioner embracing a detail of his proceedings, will be submitted for your consideration.

As some time must elapse before the remainder of the 24,000 dollars, appropriated on the part of Indiana, can be expended, would it not be more expedient, to loan it out at interest, on safe and sufficient security, than to permit it to remain idle? It is probable that the commissioner may need the aid of legislative authority to use materials from private property, and to protect the work from damage or injury, for which suitable provisions are recommended.

The condition of the State College at Bloomington, has much improved during the present year, while every thing seems to indicate

for it, a continued and increasing prosperity. It is indeed gratifying to observe that the cause of education is in the fostering care of the same spirit which is now prompting the people of Indiana, to put forth their energies in behalf of internal improvements. The institution at Crawfordsville in the north-west, and the one at Hanover in the south-east part of the state, built up and supported as they are by private capital, furnishes, in their unusual growth and advancement, the proudest commentary on that enlarged benevolence of heart which must exist in the bosoms of their founders. The success of these institutions has suggested to my mind the propriety of your complying with that requisite of the constitution, which provides for the establishment of a university. This can be easily accomplished by clothing the Bloomington college with that charter. By so doing you will withdraw the state institution from all competition with the private institutions named, or with those that may hereafter be established; you will allay the jealousy and put down the spirit of opposition which probably exists or may exist among them; and on the contrary create a reciprocity of interests mutually beneficial to all. These views, however, are submitted with great deference to the better and more matured consideration of the legislature.

The report made by Col. Kelso, the visitor to the state prison is submitted for your examination. In the management of its affairs no material change has been made since your last meeting.

Under the laws regulating the prison, the duty of farming or leasing it with its inmates, for a term of years, will devolve on the Governor next spring; and as some have doubted whether the spirit and object of our criminal laws, are complied with in permitting the superintendent to remove the convicts from the prison to operate in brick yards and at other places in the town and its vicinity, it will be well for the legislature to express an opinion on the subject. If the practice be sanctioned for the future it will no doubt lessen the charges on the treasury for a period, but whether in the end, it would not be better as regards the safety and morals of the convicts, to confine them in their workshops, within the walls, will be for you to determine.

As this institution is so far removed from the eye of the legislature and of the executive officers, I would advise that it be made the duty of one or more of the state officers to ascertain whether, and if so, for what sum the prison and prison grounds can be sold, and upon what terms a new and more capacious one can be built at or near the seat of government, either on account of the state, or on private account, for a term of years—the individual to clothe, board, and operate the prisoners—the internal police to be left to the legislature, and the whole to be surrendered to the state at the expiration of the time.

The Circle, with the building designed for the residence of the Executive of the State, has been enclosed with the best fence the appropriation would procure. That house, in its location and plan, is not well suited to the purpose for which it was originally intended; and as the public offices will soon be removed to the capitol, I would advise a sale of the property, with time for payments, the proceeds to be applied in

erecting and furnishing a suitable family residence for the Governor, on part of the reserve at the western termination of Market street. A private building of sufficient size and convenience for the residence of your Governor can never be rented at this place; and without a suitable one, he cannot acquit himself with the members of the other branches of the government, and with visiting strangers, in that manner which his station, and the laws of hospitality require. The proceeds of the house on the circle will be sufficient for the erection of the new one, and will furnish it as far as it should be furnished, without costing the state any further sum for the next thirty years.

Since the last report of the Agent, the treasury has realized about nine thousand three hundred dollars from the sales heretofore made of the public property, at the seat of government. Other sums, to the amount of 4,000 dollars will soon reach the treasury through the hands of the Agent. The report of that officer, will, in due time, be submitted.

Upon the plat of the town there are several squares marked and set apart for public purposes; but not having been specifically designated by law, for those purposes, no one has exercised any care or authority over them. It will be well for the Legislature to make some final order on the subject. The block of timbered land on the eminence west of the capitol, marked on the plat as public ground, if intended by the Legislature for that purpose, should be granted to the corporate authorities of the town, on condition that they enclose it, preserve the timber, ornament and improve it. You will act in this matter for future generations, when the population of this place shall amount to thousands—when a forest tree will not be seen for many miles. Most of the large cities of the United States, have such ground for the purposes both of utility and ornament.

The commission created by a law of last session for the assessment of damages to private property on the canal line, has been organized, and is now filled by an executive appointment of Messrs. Graham of Jackson, Talbot of Putnam, and Wallace of Fountain counties. The appointment of a Commissioner, by the Governor, as authorized by law to take releases on the White-water line of canal, was made to Gen. Morgan, of Rush county, who has performed the duties assigned him, by filing the releases of the major part of the landholders on the line, with the Secretary of State.

The operations of the State Bank, through the Branches, have had a most healthful and beneficial influence on the enterprise and various pursuits of our citizens, and to an extent, greater, it is believed, than had been predicted by its friends. These accommodations have been extended to every class of our citizens, as far as the resources of the institution, under its charter, would justify. Experience has already satisfied the officers, that the time is not far distant when it will be found that the capital is entirely insufficient for the rapidly increasing business and population of our state. Indeed, in some of the districts, the deficiency is already felt, and acknowledged.

It has generally been the practice in banking institutions, to have

some of their transactions based upon the deposits entrusted to them, and in that way, such funds, instead of remaining idle, are actively employed. When you shall have examined the reports which will be laid before you by the officers of the bank, you will find that there is a large average amount in deposits, from individuals in each branch. But in consequence of the prohibition in the charter, these large sums are of no service to the individuals, to the bank, nor to the public.

It is believed this limitation in the charter only serves to restrict the bank in its accommodations and business without any corresponding advantage—as the public are abundantly secured against all danger of overtrading in the bank, by that clause which limits their issue of paper to twice the amount of the capital paid in. Indeed it is difficult to see how any damage can accrue in permitting the bank to loan as far as it has the means, provided the restriction remains as to the issue of paper.

Many banking institutions in other states, where such restrictions do not exist, allow a small interest on deposits, on which business transactions are based. Such a course would call in large sums, now inactive, and induce many to save and deposit a portion of their earnings. For our canal fund, deposited in New York, a bank of that city is now paying four per cent.: but while this unusual prohibition in our charter exists, our own banks cannot do for us that which foreign banks are doing.

The incentive offered to agricultural enterprise, by the law of the last session, providing for the appointment of members of a State Board of Agriculture, and for the organization of auxiliary county associations, I am glad to say, is like to accomplish all the good the advocates of the measure promised themselves. In most of the counties the agitation of the subject has excited a spirit of emulation and competition which has already caused the introduction of many fine specimens of stock, seeds, and implements of husbandry. Such examples will hardly fail to have a beneficial influence on the agricultural pursuits of the country.

Under the provision of a law of the last session, the canal commissioners were directed to procure examinations, surveys, and estimates to be made upon several proposed routes for canals, and submit the results to the Legislature at the commencement of its present session, with a view of furnishing you proper data for the adoption of a judicious system of internal improvement for the state. To accomplish so much within the time prescribed, the board found it necessary, immediately, to procure the services of competent gentlemen, having the advantage of practical skill in the science of civil engineering. Accordingly a member of the board engaged the services of Dr. Whippo of Pennsylvania, of Mr. Gooding of Illinois, and of Capt. Cleaveland of Ohio, whose well established reputations and experience as scientific and practical engineers gave the strongest assurances of their qualifications. Whilst this preparation was making, the chief engineer, Mr. Williams, as early as April, went to the field, and in furtherance of the work made several experimental lines. The examinations commenced

and progressed with the greatest industry, until their progress was arrested by sickness, which, for a time, threatened the success of the work.

Although the estimates are as yet incomplete, I am gratified in being able to say, that enough is known to satisfy us that the route from the Wabash canal by the way of the Mississineway and White river, to Indianapolis, and thence down the valley of White river by the way of Princeton to the Ohio river at Evansville, is not only practicable, but of easy and cheap construction. The same is also ascertained as regards the continuation of the route from Lafayette to Terre Haute. The proposed route from this place by the Driftwood fork of White river to Jeffersonville, after a careful examination, has been found to be too doubtful and expensive to be undertaken.

The facility and cheapness of the line from the seat of government to Evansville, having been satisfactorily ascertained, and other facts relative to the topography of the state, being developed by the surveys already made, it was thought advisable, while the necessary force was in the field, to run an experimental line of levels from White river at or near the mouth of Eel river to the Wabash at Terre Haute—a distance of about forty miles—the result of which has satisfied the engineers and the board that the Wabash can be united with White river and the Ohio at Evansville, at comparatively a small expense.

The law of last session, authorizing the several surveys and estimates for rail-ways and turnpike roads, under the direction of the governor, has been executed as regards the field operation; and the necessary estimates and drawings are in such a state of forwardness as to allow the superintending officer to present his report in a few days.—The great length of these surveys, traversing a large portion of the state, and extending in length to upwards of seven hundred miles, suggested the necessity of adopting such measures as would bring the requisite forces into the field as early as the month of April; and as there were no gentlemen of acknowledged skill in rail road engineering unemployed in the western country, assistance was sought from the Atlantic states. For that purpose Caleb B. Smith, Esq., was requested to proceed to Washington City before the adjournment of Congress, with letters to our delegation, requesting them to unite in an application to the war department for the necessary number of officers, and in the event that the request for the assistance should not be complied with, he was requested to go into the adjoining states and employ such a number of engineers as would insure the completion of the work in time for the present session. The application at Washington was met by an assurance from the secretary of war, that Col. Stansbury and two assistants would be detailed for the purpose. The work requiring at least four separate parties, Mr. Smith entered into a written agreement with Col. Stansbury, herewith submitted, authorizing him as the superintending officer, to organize four parties, including the two assistants promised by the secretary of war, the state paying him two dollars and fifty cents per day. In pursuance of this agreement, Col. Stansbury proceeded in the organization of the several parties, but in consequence of the secretary of war subsequently declining to

detail the assistants, without assigning any reason for it, he Col. Stansbury, was obliged then to select others to supply their places. The several parties were organized and reached their place of destination the latter part of April and the first week in May. The one upon the Lawrenceburgh line was conducted by Mr. Adams of Connecticut—the one on the Madison and Lafayette line by Col. Schenck of New York; the one on the Evansville line by Mr. Collins of Baltimore; and the one on the New Albany and Crawfordsville line by Mr. Watts of Pennsylvania; the whole acting under the orders of Col. Stansbury.—The party under Mr. Adams reached this place in August and was preparing for the survey of the Columbus and Jeffersonville route, when, in consequence of sickness among the officers, it was disbanded. That route was then confided to Mr. Coyle, the second officer under Mr. Adams, for which purpose a new party was organized. Col. Schenck terminated his examinations at Lafayette in October. Major Watts closed the survey of the New Albany and Crawfordsville route, and commenced his examinations on the New Albany and Vincennes road when its progress was interrupted by the lamented death of his assistant, Mr. Paul, and soon after he was so much disabled by sickness as to make it necessary for him to abandon the field. The party under Mr. Collins, after closing its operations at Terre Haute, returned to Vincennes, and finished the survey of the New Albany line to the termination of the survey by Major Watts.

These surveys have been necessarily expensive, but it is believed that the fund of accurate topographical information that has been obtained as to a very considerable portion of the state, and of its susceptibility of improvement will be invaluable as the basis of subsequent legislation.

Justice and inclination require me to say that Col. Stansbury, the officer commanding the parties and their assistants have performed their several duties with a zeal and ability that command my entire confidence and approbation.

Believing the measure well calculated to advance the best interests of the state, and one that public sentiment called for, I deemed it my duty, at the last session of the Legislature, with some earnestness, to urge the propriety of adopting a well digested plan of Internal Improvement. It was then contended that the construction of public works on a scale that would benefit every portion of the state, was within the reach of proper efforts: that our sister states, whose examples were most successful, commenced under circumstances less favorable than ours—that whilst the state can command any desirable amount of capital, at five per cent. interest, it would be our true policy to promote such improvements as will prove beneficial to the country, and yield a profitable return for the investment—that such a course would not impoverish the state nor the people, but would enrich both: and that any increased taxation for a time, to meet the interest on loans, would be more than counterbalanced by the increased business, enterprize, and wealth. The experience derived from the work in which we are engaged, and the prosperous condition of other

states, have confirmed me in the correctness of the opinions heretofore advanced, and I again recommend the subject to your favorable consideration.

The examinations made the last summer, by the canal and rail road engineers, will place you in possession of such facts and information in reference to the several routes, and of the susceptibility of the general face of our territory, as will allow you to act advisedly in the selections you may make. Of the several kinds of improvements proposed, it is believed that if canals should have preference over rail-ways or turn-pike roads, on the ground that canals are cheaper, more permanent, and better adapted to the convenience and habits of the people, and to the character and products of the state. But in designating the several branches or parts of a general and connected plan, should you adopt one, you will find, that in consequence of the peculiar shape or formation of the surface of the state, it must embrace in its parts, a combination of canals, rail-ways and turnpikes, each having a beginning, connection with, or termination at the Lake, the Wabash canal, or the Ohio river; the Wabash canal constituting the main artery or trunk of the plan. And in discriminating between the relative value of each proposed work, that which will accommodate the greatest amount of population, commerce, and business generally, should be adopted. That of making a selection is a duty within the province and sound discretion of the Legislature, therefore the task of making an Executive recommendation is relinquished, not entirely on account of its delicacy and responsibility, but because the reports to be made by the engineers, are not yet so complete as to allow an examination, and time for a decision.

The first step in most of the important works undertaken, have met with opposition from those who entertained fears of taxation, bankruptcy, and ruin; but of all the public works in other states, there are none that have been abandoned, or that have proved burdensome or unpopular with the people, even under the highest rate of taxation: on the contrary, they have uniformly become sources of wealth and comfort, monuments of public spirit and enterprize, and objects of just pride and exaltation with the people. These triumphant successes have settled the question as to the practicability and utility of public works, and encouraged by these examples, our citizens have manifested their willingness to enter with spirit upon a system that will contribute, not less to their own prosperity, than to the credit of the state.

If, after you shall have had a full and free conference upon the subject, you agree with me in the opinion, that the public policy, public interest, and public sentiment, require of you a liberal expenditure in the improvement of the condition of the state, and of the people, it will be for your better judgment to determine the extent of the investment: I will not, however, withhold the opinion, that you may safely expend the amount of ten millions without calling on the present or future generations for the payment of any portion of the principal under the process of taxation. But, to sustain an enterprise of such magnitude, a suitable provision should be made for the payment of the interest on

the capital, one million of which would be needed the first year, and about an equal sum annually until the work shall be finished. The additional revenue required to meet the interests on the loan, would increase the whole amount of tax now paid by our citizens, one half, that is, he who now pays one dollar would have to pay the further sum of fifty cents each year.

To one who has not looked into the process, by which this fact is ascertained, it may appear strange that so small an increase in the rate of taxation, will meet the interest on so large a sum. It is nevertheless certain, that an addition of one half on the present and annual increase in lands and other property, with the tolls that will be coming in after the first few years, will be amply sufficient. Of the vast increase of property liable to taxation, some idea may be obtained by comparing our population of 347,000 in 1830, with our present number of not less than 600,000; and we have unerring evidence, that the 4,650,000 acres of land returned for taxation last year, will be increased to 8,000,000 in 1840.

Relying on the correctness of these estimates, one enquiry only remains to be made, will our citizens cheerfully pay the small additional tax? Or, in other words, should the state, by a wise policy, open a market with increased prices for produce, and wages of every kind, will they pay a cent or two for each additional dollar thus put into their pockets? Of this you can best determine.

If, after your mature examinations of the subject, you think it advisable to embark, I beg leave earnestly to remind you of the policy and necessity of organising a Board of Public Works, with all needful powers to plan and carry on the improvements authorized.

In my last annual communication, I noticed the very laudable exertions of the Lawrenceburg and Indianapolis rail road company, and it is with great pleasure that I have since witnessed the zeal and perseverance with which they have commenced their work, giving satisfactory evidence of their determination to accomplish the enterprize. That route is destined to constitute a link in the great line of proposed rail-way from Charleston, South Carolina, to the Ohio river, at Cincinnati, and to the Lake. This public spirited association of our fellow-citizens do not intend to press their equal claims to pecuniary aid from the state. They ask her to take no share in the work; but they ask that from her which can be granted in safety, and to the great service of the public. They desire her to give them credit to the amount of five hundred thousand dollars, which they will satisfactorily secure by the most valuable landed property in the state, of fixed and convertible value, in double the sum, to be secured at the expense of the company, and as may be directed. Of their ability to do this, without the shadow of danger, to the state, I am convinced from my own knowledge of the estates of the members of the company, and, therefore, cheerfully recommend their reasonable request to the consideration of the Legislature.

Not intending to elicit any action on your part, at this time, but for the information, as well as the gratification of the members of the Legis-

lature, I lay before you two pamphlets with the proceedings of the citizens of Cincinnati and of Charleston, South Carolina; and, also, the messages of the governors of Georgia and North Carolina, all of which are in reference to the construction of a rail-way from Cincinnati to the city of Charleston. Considering that this is the nearest and most direct route to the sea-board, every step that may be taken to render it available, cannot but become a matter of deep and abiding interest to the people of Indiana.

The law of last session, providing for a change in our revenue system, does not require the clerks of the several counties to report the returns of the assessors to the Auditor of State, before the first day of December, consequently I am not able to present you with a view of the result of the valuations. From the best information I can obtain, however, it is believed that the disparity anticipated in the value of real estate in the old and new districts of the state, does not exist. If, upon a comparison of all the returns, this opinion shall be found to be correct, there can be but little reason to question the policy or justice of a change. The expenses of our state government have been hitherto, borne, principally, by the landholders, while other large, and generally, much more productive investments of capital have contributed little or nothing to the state treasury. Although some of our citizens object to the number of articles included in the law, it is confidently believed, it can be so shaped as to render it agreeable to their views—particularly when they see that the tax upon land will be reduced in proportion to the amount that is charged upon other subjects of taxation—such property as now pays nothing, and which can only be brought in by the change proposed. No good and satisfactory reason can be assigned why capital invested in town property, bank stock, merchandise, or money at interest, should not be subject to the same rate of taxation as an equal amount invested in land.

There is to be found in the legislation of several of the late sessions of the General Assembly a departure from general rule and analogy, from which evil may arise, and which is at war with that principle in our government which requires that the operations of all laws shall be equal and general. I allude to the want of uniformity in the organization of our courts doing county business; to the modes of appointing township officers; and to the civil jurisdiction of justices of the peace. In some counties justices of the peace transact county business, in others, that duty is performed by commissioners elected for that purpose. In some instances township officers are chosen by the people, in others, they are appointed by the courts doing county business. In some counties, justices of the peace have civil jurisdiction throughout the county, in others, they are restricted to the townships in which they reside, with perhaps, a stream or an ideal line for its boundary. These and similar examples should be arrested and the one or the other principle should prevail. Our laws should be equal and uniform, resulting from that compromise of opinion out of which has grown the best principles of our republican form of state and national governments,

and particularly, that which declares, that in legislation the majority shall rule.

In a casual conversation with a gentleman last year in the service of the United States, I learned, that in making some geological examinations near the line of the National Road he had discovered indications of coal and other valuable minerals, which determined me to suggest the propriety of a geological and topographical survey of the state with a view of looking into her mineral wealth and resources, and, also of publishing under the sanction of the legislature a correct map. But as our new territory had not then been subdivided into counties and brought under civil jurisdiction, the recommendation was postponed. That objection having been removed by the legislature of last winter, I respectfully recommend the subject to your consideration. In all countries where mineral deposits have been discovered they have become leading items of commerce and wealth. In the mountain districts of Pennsylvania, Virginia, and Maryland, their iron, coal, marble, and gypsum will be the chief articles of commerce and of support to the public works. From the many indications and discoveries made, we have much reason to believe that this state abounds in such deposits; but without the aid and application of geological science they will never be perfectly developed. Should you think the measure advisable, the surveys for the two purposes can be confided to the same head, or that for geological purposes can be conducted alone.

By an act of Congress of March, 1808, the sum of two hundred thousand dollars was annually applied to the manufacture of arms for the militia of the several states. Since this state came into the Union, near four million dollars have been expended under that act. The quota of arms allotted to Indiana, under the general distribution among the states, has, as yet been distributed among the militia; but where these arms are, or what has been done with them, no one can tell; nor, has the quarter-master-general been able to get any satisfactory information from the officers on the subject. It is believed, from other sources of information, that the light companies in many instances have been broken up, the arms delivered to them destroyed, converted to private use, or carried to other states by persons removing. In this way our loss in public property, of this kind, must amount to twenty or thirty thousand dollars. According to an estimate recently made at the ordnance department, about one thousand muskets are due this state; of which, about fifty boxes, with accoutrements, have, within the last month arrived at Madison. These arms are worth, at first cost, near fourteen thousand dollars; and as the impolicy of distributing them, as heretofore, has long since been so apparent as to induce many of the states to provide a safe depository, instead of delivering them to the militia, would it not be advisable for Indiana to adopt a similar policy, at least, until we can get some further account of those already distributed?

The session before the last, I endeavored to point out some of the prominent defects in our probate system, and as a remedy, proposed

that the business should be transferred to the circuit courts, and that in consequence of the increased duties, the judges' salaries should be raised to one thousand dollars.—Satisfied with the recommendation then made, I beg leave now to reiterate it. In point of expense, it may safely be said, that the increased salary of the circuit judges will require less from the treasury than is now paid to the probate judges.

The present session is the period fixed by the constitution for making a new and equal apportionment of senators and representatives, among the several counties in the state. In complying with the requisition you will unavoidably encounter such difficulties as arise from the great disparity in the size and population of the counties, and that reluctance which is naturally felt to any diminution in the number heretofore sent, which may be necessary to a just and equal apportionment. In acting upon the subject, it should be remembered that a numerous body is not the best, either for harmony, deliberation or despatch; and should your present number be materially increased, you may lessen the usefulness and business capacity of the body.

During the past summer the foreign laborers upon the line of canal, resuscitated some of their old party animosities, which so often were the cause of collision in their native country, Ireland, and while under great excitement, from five to seven hundred on a side assembled for several days, armed for battle, to the great terror of the citizens of that vicinity. To prevent recurrences of the evil, the punishment known to our criminal laws for riotous conduct should be increased in proportion to such offences.

There are several subjects within the range of my official duties which may call for a special communication; should the necessity arise I will avail myself of that mode; in the mean time, I assure you of my readiness to unite with you, in any measure calculated to elevate the state, and benefit her citizens.

N. NOBLE.

December 8th, 1835.

The Senate then returned to their chamber.

On motion of Mr. Vandever,

Resolved, That the public printer be directed to print 3000 copies of the Governor's message for the use of the members of this House.

On motion of Mr. Willet,

Resolved, That the Governor's message be referred to a committee of the whole House, and made the order of the day for Friday next,

And on motion

The House adjourned.

WEDNESDAY, DEC. 9, 1835.

The House met.

Mr. Vandever submitted the following resolution:

Resolved, That a select committee consisting of 14 members, two of which to be selected from each congressional district, be appointed for the purpose of assigning to each county its due proportion of representation, according to the provisions of the constitution on that subject.

Mr. Zenor moved to lay said resolution on the table, which was decided in the negative, and,

The question recurring on the adoption of said resolution it passed in the affirmative.

Mr. Davis moved the adoption of the following resolution:

Resolved, That it shall be observed as an order of business in the House of Representatives during the present session, that not more than one hour each day shall be occupied in the introduction and discussion of resolutions.

Mr. Craig of P. moved to amend said resolution by striking out "one" and insert "two." Whereupon,

Mr. Craig of P. withdrew said resolution.

Mr. Brown presented the petition of I. C. Elston and others, directors of the Wabash and Michigan Rail Road Company, praying for certain relief therein named,

Which, after being read, was referred to a select committee of Messrs. Brown, Davis, and Buell.

Mr. Stapp having obtained leave, presented the petition of Francis Means, accompanied by a bill for that purpose, (No. 1.) praying for a divorce from her husband, William C. Means,

Which were read: Whereupon,

Mr. Brown moved to reject said bill,

And the ayes and noes being called for,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Boone, Brown, Bryan, Buell, Carnan, Carr, Collins, Craig of M., Curtis, Cushman, Davis, Edwards, Eggleston, Evans, Gardner, Hannaman, Harris, Howard, Hubbard, Johnston, Kilgore, Lee of M. and C., Liston, Mason, McBean, Moore, Murray, Nave, Ray, Steele, Storm, Templeton, Thompson of L., Vandever, Wilson, and Zenor—39.

And those who voted in the negative are,

Messrs. Bennett, Chamberlain, Chambers, Chiles, Clark of Wayne, Clark of Washington, Craig of Posey, Dunning Edmonston, Graham, Gregg, Harrow, Howell, Huckleberry, Huntington, Jackson, Jones, Lee of B., Macey, McCarty, Miller, Morris, Myers, Phelps, Posey, Ristine, Smith of R., Stapp, Strain, Thompson of A., Thompson of J.,

Vawter, Walker of D., Walker of S., Watt, Whitman, and Willett—37.

And so said bill was rejected.

Mr. Vandever having first obtained leave, presented

A bill (No. 2) to provide for empannelling grand and petit jurors in the county of Orange,

Which said bill was three times read, (the rules of the House having been first dispensed with) and passed.

Ordered, That the Clerk inform the Senate thereof and ask their concurrence thereto.

Mr. Huntington, from the select committee, to which was referred a resolution together with a proposed amendment thereto on the subject of the rules and joint rules for the government of the deliberations of this house, reported that they had had that subject under consideration and had made sundry amendments thereto,

Which were read, and thereupon,

Mr. Smith moved to lay the same on the table.

And then the House adjourned.

2 o'clock, P. M.

House met.

The House resumed the consideration of the report of Mr. Huntington on the subject of the rules and joint rules, &c.

And the question being taken on the motion of Mr. Smith to lay the same on the table,

Which was decided in the negative, and,

On motion of Mr. Morris, the same was committed to a committee of the whole House.

And thereupon on his further motion, the House resolved itself into a committee of the whole, Mr. Kilgore in the Chair,

And after some time spent therein,

Mr. Kilgore reported the same with sundry amendments, to which he asked the concurrence of the House,

Which were read and concurred in.

And thereupon the report of said committee, as amended was concurred in by the House.

Mr. Willett moved the adoption of the following resolution:

Resolved, That 200 copies of the rules and joint rules be printed on large sheets for the use of this House.

Mr. Huntington moved to lay said resolution on the table,

Which said motion was lost.

And the question then recurring on the adoption of said resolution, was decided in the affirmative.

Message from the Senate by Mr. Morrison their Secretary:

Mr. SPEAKER—

The Senate have reciprocated the resolution of the House of Representatives, fixing on Thursday next for the election of Circuit Judge

es and Prosecuting Attornies, excepting as to the 4th circuit, which is not reciprocated.

The Speaker announced the appointment of the following Standing Committees and Order of Business:

JOINT COMMITTEES.

1. *On Public Buildings*—Messrs. Willett, Smith of R., Thompson of A., Gregg, Hannaman, Mason, and Armstrong.
2. *On the Canal Fund*—Messrs. Brown, Johnston, and Whitman.
3. *On the State Library*—Messrs. Dunning, Jackson, and Nave.

STANDING COMMITTEES OF THE HOUSE.

1. *On Elections*—Messrs. Liston, Carr, Jones, Curtis, Edmonston, Templeton, Harris, Edwards, and Walker of D.
2. *Of Ways and Means*—Messrs. Wilson, Vawter, McCarty, Bryan, Phelps, Macey, Harrow, Huckleberry, Boone, Gregg, Lee of M. and C., Gardner, Howell, Moore, Hubbard, and Carr.
3. *On the Judiciary*—Messrs. Stapp, Ray, Huntington, Kilgore, Thompson of L., Brown, Dunning, Hannaman, Liston, Collins, Eggleston, Evans, Carnan, Chamberlain, Johnston, Nave, Macey, and Chiles.
4. *On Education*—Messrs. Huntington, Whitman, Bennett, Myers, Davis, McBean, Walker of S., Eggleston, Jackson, Wilson, and Ristine.
5. *On Military Affairs*—Messrs. Vandever, Smith of R., Howell, Watt, Strain, Huckleberry, Lee of B., Steele, Boone, Zenor, Storm, Miller, and Clark of Washington.
6. *On the State Prison*—Messrs. Armstrong, Clark of Washington, Buell, Craig of M., Cushman, Murray, Bardwell, Chambers, Harrow, and Crag of P.
7. *On the Affairs of the Town of Indianapolis*—Messrs. Ray, Morris, Clark of Wayne, Posey, Thompson of J., Templeton, Gardner, and Graham.
8. *On Claims*—Messrs. Bennett, Edwards, Murray, Howard, Chiles, Chamberlain, Armstrong, Walker of D., Clark of Wayne, Phelps, Lee of B., and Cushman.
9. *On Roads*—Messrs. Vawter, Howard, Strain, Thompson of J., Graham, Jones, Moore, Ristine, Zenor, Steele, McBean, Craig of Posey, and Bardwell.
10. *On Canals and Internal Improvements*—Messrs. Evans, Kilgore, Brown, Carnan, Ray, Huntington, McCarty, Stapp, Mason, Vandever, Thompson of L., Morris, Hubbard, Bryan, Walker of S., Moore, and Thompson of A.
11. *On the State Bank*—Messrs. Thompson of L., Collins, Myers, Watt, Jackson, Thompson of A., Davis, and Buell.
12. *On Enrolled Bills*—Messrs. Jackson and Johnston.

Order of business to be observed, until otherwise directed by the House:

1st. Reading the Journals of the preceding day.

2d. Petitions, Memorials, and Remonstrances.

3d. Reports from Standing Committees, in the following order:

- (1.) Of Elections.
- (2.) Of Ways and Means.
- (3.) On the Judiciary.
- (4.) On Education.
- (5.) On Military Affairs.
- (6.) On the affairs of the State Prison.
- (7.) On the affairs of the Town of Indianapolis.
- (8.) On Claims.
- (9.) On Roads.
- (10.) On Canals and Internal Improvements.
- (11.) On Public Buildings.

4th. Reports from Joint Standing Committees, in the following order:

- (1.) On Public Buildings.
- (2.) On the Canal Fund.
- (3.) On the State Library.

5th. Reports from Select Committees.

6th. Resolutions of the House.

7th. Joint Resolutions.

8th. Bills.

9th. Orders of the Day.

The Committee on Enrolled Bills may report at any time.

On motion of Mr. Hubbard,

Mr. Ray was added to the Committee on the State Bank.

On motion of Mr. Johnston,

Resolved, That 100 copies of the Standing Committees be printed for the use of this House.

The Speaker laid before the House, reports from the Branches of the State Bank of Terre Haute, Bedford, Evansville, and New Albany. And the House adjourned.

THURSDAY, DECEMBER 10, 1835.

The House met.

On motion of Mr. Kilgore,

Mr. Liston was added to the committee on canals and internal improvements, and Mr. Dunning to the committee on education.

The Speaker laid before the House a report of the State Bank at the Branch at Madison, which, together with the reports of the Branches at New-Albany, Terre-Haute, Evansville, and Bedford made on yes-

terday, was read and referred to the standing committee on the state bank.

The Speaker laid before the House a communication from Jesse L. Williams, principal engineer of the Wabash and Erie Canal, which was read, and, on motion, referred to a select committee of Messrs. Thompson of L., Brown, M'Carty, M'Bean, and Morris, with power to send for papers, witnesses, &c.

Mr. Chiles presented the petition of Wm. M. C. Blake, preferring certain charges against C. C. Nave, a member of this House; which was read, when

Mr. Chiles moved to refer the same to a select committee.

Mr. Vandever moved that the same be referred to the judiciary committee; which was lost.

And the question being taken on the motion to refer it to a select committee, was carried in the affirmative; and

The Speaker appointed Messrs. Chiles, Stapp, and Kilgore that committee, with power to send for papers, witnesses, &c.

The Speaker laid before the House a report of the Secretary of State on the subject of the State Library, and also a report of the Secretary of State on the subject of the public printing;

Which were read, and,

On motion of Mr. Kilgore,

Laid on the table.

Mr. Kilgore, (having first obtained leave,) moved the adoption of the following resolution:

Resolved, That J. L. Williams have leave to attend before the select committee, appointed to investigate his conduct as principal engineer, &c., for the purpose of examining and cross-examining witnesses, if any should appear before said committee.

And that Christian C. Nave have leave to attend before the select committee appointed to investigate charges preferred against him, for the purpose of examining and cross-examining witnesses.

Mr. Willett moved to amend said resolution by striking out so much thereof as related to Christian C. Nave;

Which motion did not prevail.

Mr. Willett then moved to lay said resolution on the table;

Which was decided in the negative.

And the question then recurring on the adoption of the resolution, was decided in the affirmative.

Mr. Storm presented the petition of Margaret Nations and others praying relief from the Congress of the United States;

Which was read, and,

On motion referred to a select committee of Messrs. Storm, Vawter, and Moore.

Mr. Huntington presented the petition of Joseph D. Clarke and his father, praying the passage of a special act authorizing the sale of real estate;

Which was read, and,

On motion referred to a select committee of Messrs. Huntington, Carnan, and Colerick.

Message from the Senate by Mr. Morrison their Secretary.

Mr. SPEAKER—

The Senate have adopted the following resolution:

Resolved, That the Senate will on this day, at 10 o'clock, A. M. proceed to the election of a President Judge of the 4th Judicial Circuit, and that the House of Representatives be informed thereof, and their concurrence therein requested.

Mr. Evans moved that Mr. Nave have the process of this House to compel the attendance of witnesses &c.;

Which motion prevailed.

Mr. Mason presented the petition of sundry citizens of the county of Fayette, praying for amendments to the military law.

Mr. Eggleston presented the petition of sundry citizens of the county of Switzerland, and,

Mr. Huckleberry presented the petition of sundry citizens of the county of Clark, on the same subject;

Which were read and referred to the committee on military affairs.

On motion of Mr. Vandever,

Mr. Mason was added to the committee on military affairs.

On motion of Mr. Evans,

Ordered, That Mr. Nave have leave of absence from attendance on this House during the pending investigation into his conduct as a member of this House, upon the charges preferred against him by Wm. M. C. Blake.

The Speaker laid before the House the following communication from William Sheets, Secretary of State:

SECRETARY OF STATE'S OFFICE,
Indianapolis, Dec. 9, 1835. }

SIR:

I beg leave to communicate, through you, to the House of Representatives, that, on the 2d day of April last, the Hon. Samuel Hall filed, in this department, his resignation as President Judge of the 4th Judicial Circuit; and that the vacancy has been filled by a temporary appointment, which will expire with the close of the present session of the General Assembly.

The Hon. Charles H. Test filed, in my Office, on the 7th inst., a communication, bearing date the 20th of January 1836, resigning the office of President Judge of the 6th Judicial Circuit.

I am with great respect,

Your obd't servant,

WM. SHEETS.

The Hon. C. B. SMITH,

Speaker of the House of Representatives.

Mr. Gregg presented the petition of sundry persons, praying an act

of incorporation of a company for the erection of a turnpike road from Lawranceburgh in Dearborn county, to the town of Harrison;

Which was read, and,

On motion referred to a select committee of Messrs. Gregg, Walker of D., and Johnston.

Mr. Chamberlain presented the petition of John Longacre, praying for a divorce from his wife;

Which was read, and,

On motion, laid on the table.

On motion of Mr. Brown,

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives, *instantly*, for the purpose of entering into the election of President Judges and Prosecuting Attorneys; and that seats for their accommodation be provided on the right of the Speaker's Chair.

Ordered, That the Clerk inform the Senate thereof.

The Senate came in from their Chamber, and took their seats on the right of the Speaker's Chair, the President of the Senate on the right of the Speaker; when both Houses of the General Assembly proceeded by joint ballot, to the election of a President Judge of the fourth Judicial Circuit, Mr. Sigler acting as teller on the part of the Senate, and Mr. Vawter acting as teller on the part of the House.

On counting the ballot it appeared that

Elisha Embree received 53 votes for that office,

Charles I. Battell 49 votes,

Scattering 3 votes.

Elisha Embree having received a majority of all the votes given, was, by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected President Judge to serve as such.

Both Houses then in like manner proceeded to the election of a President Judge of the 5th Judicial Circuit, to fill the vacancy of William W. Wick, whose term of service had expired.

On counting the ballots it appeared that

William W. Wick received 80 votes for that office,

John Eccles 26 votes.

William W. Wick having received a majority of all the votes given, was, by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected President Judge of the 5th Judicial Circuit of the state of Indiana to serve as such for the Term of seven years, from and after the 2d day of January next.

Both Houses in like manner, proceeded to the election of a President Judge of the 6th Judicial Circuit of the state of Indiana, to fill the vacancy occasioned by the resignation of the Hon. Charles H. Test.

On counting the first ballot it appeared that
 Samuel Bigger received 34 votes for that office,
 James Perry 33 votes,
 William Dailey 39 votes.

No persons having received a majority of all the votes given, both Houses proceeded to a second balloting.

On counting the second ballot it appeared that
 Samuel Bigger received 37 votes for that office,
 James Perry 30 votes,
 William Dailey 39 votes,

No person having yet received a majority of the whole number of votes, both Houses proceeded to a third balloting, when it appeared that

Samuel Bigger received 38 votes,
 James Perry 27 votes,
 William Dailey 41 votes.

No person having still received a majority of all the votes given, both Houses proceeded to a fourth balloting.

On counting the fourth ballot it appeared that
 Samuel Bigger received 50 votes for that office,
 James Perry 6 votes,
 William Dailey 50 votes.

No person having received a majority of all the votes, both Houses proceeded to a fifth balloting.

On counting the fifth ballot it appeared that
 Samuel Bigger received 53 votes,
 James Perry 1 vote,
 William Dailey 52 votes.

Neither gentleman having a majority of all the votes, both Houses proceeded to a sixth balloting.

On counting of which it appeared that
 Samuel Bigger had 57 votes,
 William Dailey 48 votes,
 James Perry 1 vote.

Samuel Bigger having received a majority of all the votes given, was by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected President Judge of the 6th judicial circuit, to serve as such.

And both Houses adjourned.

2 o'clock, P. M.

Both Houses met.

Both Houses in like manner proceeded to the election of a prosecuting attorney for the first judicial circuit.

On counting the votes it appeared, that
William P. Bryant received 76 votes,
R. A. Lockwood received 26 votes,
Scattering 2 votes.

William P. Bryant having received a majority of all the votes given was, by the President of the Senate, in the presence of both Houses of the General Assembly, declared duly elected prosecuting attorney of the 1st judicial circuit, to serve for the term of two years.

Both Houses in like manner proceeded to the election of a prosecuting attorney for the second judicial circuit.

On counting the votes it appeared that
Charles Dewey had 79 votes for that office,
Scattering 25 votes.

Charles Dewey having received a majority of all the votes was, by the President of the Senate, in the presence of both Houses of the General Assembly, declared duly elected prosecuting attorney for the second judicial circuit, to serve for the term of two years.

Both Houses in like manner proceeded to the election of a prosecuting attorney for the third judicial circuit.

On counting the ballots it appeared that
Courtland Cushing had 62 votes for that office,
Daniel Kelso had 40 votes,
Scattering 4 votes.

Courtland Cushing having received a majority of all the votes given, was, by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected prosecuting attorney for the third judicial circuit, to serve for the term of two years.

Both Houses in like manner proceeded to the election of a prosecuting attorney for the fifth circuit.

On counting the ballots it appeared that
William Herod had 73 votes for that office,
Scattering 33 votes.

William Herod having received a majority of all the votes, was, by the President of the Senate, declared duly elected prosecuting attorney.

ney for the fifth judicial circuit, to serve for the term of two years.

Both Houses in like manner proceeded to the election of a prosecuting attorney for the sixth circuit.

On counting the ballots it appeared that
 William J. Brown had 68 votes,
 John S. Newman had 36 votes,
 Scattering 2 votes.

William J. Brown having received a majority of all the votes, was, by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected prosecuting attorney for the 6th judicial circuit of the State of Indiana, to serve for the term of two years.

The Senate then retired to their Chamber,
 And the House adjourned.

FRIDAY MORNING, DEC. 11, 1835.

House met.

The Speaker announced to the House the following select committee on the subject of the apportionment of the representation of the state, in pursuance of a resolution heretofore adopted:

Messrs. Vandever, Howell, Thompson of L., Myers, Davis, Liston, Dunning, Hannaman, Johnston, Gregg, Mason, Kilgore, Jackson, and Armstrong—14.

The Speaker laid before the House the annual report of the Treasurer of State;

Which was read and referred to the committee of ways and means, and 500 copies ordered to be printed.

Mr. Evans presented the petition of Messrs. Henkle and Hefley, on the subject of the public printing;

Which was read,

Whereupon,

Mr. Evans moved to take up the report of the Secretary of State on the same subject;

Which was read, and, together with the petition aforesaid, referred to the committee on ways and means.

The Speaker laid before the House the annual report of Andrew Gardner the commissioner of the fund appropriated for the improvement of the Wabash river;

Which was read and referred to the committee on canals and internal improvements.

Ordered, That 250 copies of the same be printed for the use of the members of this House.

The Speaker laid before the House the report of the Branch of the State Bank at Indianapolis;

Which was read and referred to the committee on the State Bank.

Mr. Evans submitted the following resolution:

Resolved, That the Canal Commissioners be requested to lay before the committee appointed to investigate the official conduct of Jesse L. Williams, any correspondence which they may have had with any individual or individuals, designed to interfere with their discretion as public officers.

Mr. Huntington moved to amend said resolution by striking it out from its resolving clause and insert in lieu thereof the following:

That the Canal Commissioners be requested to furnish to the committee, to whom was referred the investigation of charges against Jesse L. Williams, Canal Engineer, such correspondence as they have in their possession (by them not regarded as private) touching the charges aforesaid;

Which was lost.

Mr. Kilgore moved further to amend said resolution by striking out the word "requested" and inserting in lieu thereof the word "required," and by inserting between the word "any" and the word "individual," the words "any state officer or other;"

Which amendment was adopted.

Mr. Huntington moved further to amend said resolution by adding to the end thereof the following:

"Connected with the object of such investigation."

And on the question shall said resolution as amended, be adopted it carried in the affirmative.

Mr. Vawter submitted the following resolution:

Resolved, That the use of the Hall of the House of Representatives be tendered to the friends of General Harrison, for the purpose of holding their convention on Monday and Tuesday next.

Mr. Bryan moved to amend said resolution by striking out the words "and Tuesday" and inserting in lieu thereof the word "evening;"

Which was lost.

Mr. Willett moved to further amend said resolution by striking out the words "friends of General Harrison" and inserting in lieu thereof "the convention from the people;"

Which was lost.

And the question then recurring on the adoption of the resolution, And the ayes and noes being required,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Bryan, Buell, Carnan, Carr, Chamberlain, Chambers, Chiles, Clark of Wayne, Clark of Wash., Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Edmonston, Edwards, Evans, Gardner, Graham, Gregg, Hannaman, Harrow, Harris,

Howard, Howell, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Jones, Lee of M. and C., Macey, McBean, McCarty, Miller, Moore, Morris, Murray, Phelps, Posey, Ray, Ristine, Smith, Stapp, Steele, Storm, Strain, Templeton, Thompson of Allen, Thompson of Johnson, Thompson of Lawrence, Vandever, Vawter, Walker of D., Walker of Shelby, Watt, Whitman, Willett, Wilson, Zenor, and Mr. Speaker—68.

And those who voted in the negative are,

Messrs. Boone, Eggleston, Kilgore, Lee of Bartholomew, Liston, Mason and Myers—7.

And so said resolution was adopted.

A message from the Senate by Mr. Morrison their Secretary:

Mr. SPEAKER—

The Senate have adopted the following resolution:

Resolved, That the Senate will, (the House of Representatives concurring therein) this day at 2 o'clock, P. M. proceed to the election of a director of the State Bank, to fill the vacancy of Seton W. Norris, whose term of service will expire during the present session, and that the House of Representatives be informed thereof and their concurrence requested.

In which I am requested to ask the concurrence of the House.

On motion of Mr. Bryan,

The House concurred in said resolution.

Ordered, That the Senate be informed thereof.

Mr. Graham presented the petition of A. Frisby and others, citizens of Warrick county, praying the establishment of the county road from Booneville *via* William Bullocks and Frisby's mills to the Ohio river as a state road;

Which was read, and,

On motion of Mr. Graham,

Referred to a select committee of Messrs. Graham, Howell, and Edmonston.

Mr. Liston presented the petition of Gavit V. Deniston and Joseph F. Morris of St. Joseph county, praying the passage of a law authorizing them to erect a dam across the St. Joseph river at or near the town of South Bend, and also the petition of M. M. Taylor and others on the same subject;

Which were read and referred to a select committee of Messrs. Liston, Chamberlain, and Thompson of A.

Mr. Ray presented the petition of Samuel Talbot of Wayne county, praying the passage of a law authorizing him to vacate a part of the state road leading from Centreville to Richmond, east of Centreville;

Which was read and referred to a select committee of Messrs. Ray, Curtis, and Hubbard.

Mr. Vandever presented the petition of David Hopper and others, of Orange county, praying the passage of an act for the re-location of a state road between Orleans and George French's in Orange county;

Which was read and referred to a select committee of Messrs. Vandever, Murray, and Boone.

Mr. Thompson of A. presented the petition of John Reynolds and others, praying the organization of Adams county;

Which was read and referred to a select committee of Thompson of A., Chamberlain, and Liston.

Mr. Ristine presented the petition of J. W. Powers and others of Montgomery county, praying the repeal of the act to incorporate the Crawfordsville Seminary, approved January 4, 1830;

Which was read and referred to a select committee of Messrs. Ristine, Lee of M. and C., and Brown.

Mr. Mason presented the petition of Amelia Willey, praying for a divorce from her husband, Alfred Willey;

Which was read and laid on the table.

Mr. Chamberlain moved to take up the petition of John Longacre, praying for a divorce from his wife, Louisa Longacre, laid on the table yesterday;

Which was carried in the affirmative, and refer the same to the judiciary committee.

Whereupon,

Mr. Willett moved to amend said motion by referring the same to a select committee, and,

On motion, the same was laid on the table.

Mr. Strain presented the petition of Ira Richardson and others of Washington county, praying the location of a state road from Livonia, on the nearest and best practical route, to intersect the state road from Bedford to Greenville at _____ in said county;

Which was read and referred to a select committee of Messrs. Strain, Clark, and Vandever.

Mr. Walker presented the petition of David Gibson and others of Dearborn county, praying the establishment of a state road from Dillsboro to the Ohio river at Aurora;

Which was read and referred to a select committee of Messrs. Walker, Gregg, and Howard.

And the House adjourned.

2 o'clock P. M.

House met.

On motion of Mr. Brown,

The House proceeded with closed doors to the election of a Director of the State Bank of Indiana, to fill the vacancy of Seton W. Norris, whose term of service had expired, Messrs. Brown and Dunning acting as tellers, when,

On counting the ballot it appeared that

Seton W. Norris had 66 votes for that office,

Scattering 9 votes.

Seton W. Norris having received a majority of all the votes given,

was, by the Speaker, declared duly elected on the part of the House, Director of the State Bank of Indiana.

Ordered, That the Clerk of this House, by a sealed communication inform the Senate thereof.

Mr. Brown, from the select committee, to which was referred the petition of the Directors of the Wabash and Michigan Rail Road Company, reported a bill (No. 3) on that subject;

Which was read the first time and ordered to a second reading on to-morrow.

Mr. Huntington, from the select committee, to which was referred the petition of Joseph D. Clarke and his father Thomas H. Clarke, reported that they had had the subject under consideration and deemed it inexpedient to legislate upon that subject, and asked to be discharged from the further consideration of the same.

Whereupon,

Mr. Huntington moved to re-commit said petition to a select committee with instructions to report a bill in accordance with the prayer of the petitioners.

Whereupon,

The Speaker appointed Messrs. Huntington, Eggleston, and Macey that committee.

Mr. Vandever, from the select committee, to which was referred the petition of David Hopper and others, citizens of Orange county, praying a re-location of the state road from Orleans to George French's, reported a bill on that subject;

Which was read the first time and ordered to a second reading on to-morrow.

Message from the Senate by Mr. Morrison their Secretary:

Mr. SPEAKER—

The Senate have passed the engrossed bill from the House of Representatives (No. 2), entitled "an act to provide for empannelling grand and petit jurors in the county of Orange," with an amendment, in which the concurrence of the House of Representatives is requested;

Which was read and concurred in by the House.

A sealed message from the Senate by Mr. Morrison their Secretary:

Mr. SPEAKER—

The Senate did on this day, in pursuance of a resolution of the two Houses, and the joint rules on that subject, go into an election for a Director of the State Bank of Indiana; at which election Seton W. Norris received 25 votes, Samuel Judah 3 votes, and scattering 2 votes.

Whereupon,

It was announced by the President, that Seton W. Norris was duly elected such director on the part of the Senate.

J. MORRISON,

Secretary of the Senate.

On motion of Mr. Huntington,

The House now resolved itself into a committee of the whole on the Governor's Message, Mr. Huntington in the Chair, and after some time spent therein,

Mr. Huntington reported that the committee had had the same under consideration and had adopted sundry resolutions relative thereto, in which he asked the concurrence of the House, to-wit:

1. *Resolved*, That so much of the Governor's message as relates to the obtaining relinquishments on the White Water Canal route, be referred to the committee on canals and internal improvements.

2. *Resolved*, That so much of the Governor's message as relates to the affairs of the town of Indianapolis, be referred to the committee on the affairs of the town of Indianapolis.

3. *Resolved*, That so much of Governor's message as relates to a Board of Public Works, be referred to the committee on canals and internal improvements.

4. *Resolved*, That so much of the Governor's message as relates to the establishment of a uniform system of legislation be referred to the judiciary committee.

5. *Resolved*, That so much of the Governor's message as relates to a system of internal improvements, be referred to the committee on canals and internal improvements.

6. *Resolved*, That so much of the Governor's message as relates to the propriety of a geological and topographical survey of the state, be referred to the committee on education.

7. *Resolved*, That so much of the Governor's message as relates to the new apportionment, be referred to the select committee of 14 upon that subject.

8. *Resolved*, That so much of the Governor's message as relates to a keeper of the State House, be referred to the committee on that subject.

9. *Resolved*, That so much of the Governor's message as relates to the examination, surveys, and estimates of the several proposed Canals, Rail and Turnpike Roads, made under the superintendence of the Canal Commissioners and Howard Stansbury, Esq's., be referred to the committee on canals and internal improvements.

10. *Resolved*, That so much of the Governor's message as relates to the raising of the salary of the Governor and other officers therein named, be referred to the committee of ways and means.

11. *Resolved*, That so much of the Governor's message as relates to a uniform system of doing county business, be referred to the committee on the judiciary.

12. *Resolved*, That so much of the Governor's message as relates to a change in the revenue system, be referred to the committee on ways and means.

13. *Resolved*, That so much of the Governor's message as relates to the distribution of public arms, be referred to the committee on military affairs.

14. *Resolved*, That so much of the Governor's message as relates to the riotous conduct of the foreign laborers on the Wabash and Erie

Canal, recommending amendments of the criminal law on the subject of riots, be referred to the judiciary committee.

15. *Resolved*, That so much of the Governor's message as relates to the Wabash and Erie Canal, be referred to the committee on canals and internal improvements.

16. *Resolved*, That so much of the Governor's message as relates to the projected improvements at the rapids of the Wabash river, be referred to the committee on canals and internal improvements.

17. *Resolved*, That so much of the message of the Governor as relates to the state prison at Jeffersonville, be referred to the committee on the affairs of the state prison,

18. *Resolved*, That so much of the Governor's message as relates to a transfer of the probate business to the circuit court, be referred to the judiciary committee.

19. *Resolved*, That so much of the Governor's message as relates to the several Colleges in the state, be referred to the committee on education.

20. *Resolved*, That so much of the Governor's message as relates to the State Bank, be referred to the committee on that subject.

21. *Resolved*, That so much of the Governor's message as relates to the sale of saline lands, be referred to the committee on ways and means.

22. *Resolved*, That so much of the Governor's message as relates to the State House, be referred to the joint committee on public buildings.

23. *Resolved*, That so much of the Governor's message as relates to the Michigan road and Michigan road lands, be referred to the committee on roads.

On motion of Mr. Vandever,

Resolved, That a select committee be appointed to inquire into the expediency of so amending the first section of an act for the appointment of trustees to receive deeds for lots of land, given or purchased, for the use of schools, meeting houses, or masonic lodges, approved Feb. 10, 1831, so far as requires said societies to hold an annual election, with leave to report by bill or otherwise.

On motion of Mr. Bryan,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law on that subject, that in all cases, where justices of the peace have exclusive jurisdiction, where the fine is fixed at three dollars, the defendant shall have the right of appeal from the decision of the justice to the Circuit Court.

On motion of Mr. Hannaman,

Resolved, That the committee on the judiciary be instructed to inquire what amendments, if any, are necessary to the law now in force, regulating divorces, with leave to report by bill or otherwise.

On motion of Mr. Howell,

Resolved, That the judiciary committee be instructed to inquire into the expediency of amending the 20th section of an act regulating crimes and punishment, approved February 10, 1831, so as to give the

jury discretionary power to assess a fine for riots, with, or without imprisonment, and report by bill or otherwise.

On motion of Mr. Morris,

Resolved, That the member moving a resolution or presenting a petition, shall be considered a member of the committee to which it is referred, during the consideration of such resolution or petition by the committee.

On motion of Mr. McCarty,

Resolved, That the standing committee on canals and internal improvements be instructed to inquire into the expediency of so amending the 4th section of an act to provide for the further prosecution of the Wabash and Erie Canal, and for other purposes, approved Feb. 6, 1831, that the State Board of appraisers upon said Wabash and Erie Canal, be authorized to administer oaths to witnesses that may come before them, to give evidence relative to damages sustained by claimants, for damages done them by the construction of said Canal, or for materials used in the construction of locks, culverts, bridges, or otherwise, and that said committee inquire into the expediency of further amending said section, so as to secure the State the fee simple in the lands upon which damages shall be assessed to claimants, and used or appropriated in the construction of said canal, and that said committee report by bill or otherwise,

Mr. Davis submitted the following resolution:

Resolved, That the Postmaster in Indianapolis be authorized to mark paid all papers and public documents sent by the members of this House to their constituents, also all letters and communications sent to the members of this House on legislative business, and that the same shall be paid out of any funds in the state treasury not otherwise appropriated, and that the sergeant at arms inform the Postmaster of the passage of this resolution.

Mr. Thompson moved to amend said resolution, by striking it out from its resolving clause, and inserting the following:

Resolved, That the Postmaster at Indianapolis be requested to open an account with each member of the House of Representatives, for the amount of postage charged against each, for letters and papers of a public nature, during the present session of the General Assembly, and that the amount thereof verified by the certificate of each respective member, be paid to said Postmaster, out of any funds in the Treasury not otherwise appropriated.

Which was not adopted.

Mr. Howell moved to lay said resolution on the table;

Which was also negatived.

Whereupon,

Mr. Morris moved to refer the same to the committee of ways and means with instructions to report a joint resolution on that subject;

Which motion was carried in the affirmative.

And the House adjourned.

SATURDAY, DEC. 12, 1835.

House met

The Speaker laid before the House, the annual report of the Branch of the State Bank at Lafayette;

Which was read, and,

On motion, referred to the committee on the State Bank.

Mr. McBean presented the petition of John Waggoner and others, citizens of the counties of Carroll, Clinton, and Tippecanoe, praying for a state road from Dayton in Tippecanoe county, via John Waggoner's mill, to Delphi in Carroll county;

Which was read, and,

On motion, referred to a select committee of Messrs. McBean, Thompson of A., and Bryan.

Mr. Edmonston presented the petition of James W. Porter and others, citizens of Dubois and Daviess counties, praying the continuation of a state road from Jasper to Washington, in Daviess county;

Which was read, and,

On motion, referred to a select committee of Messrs. Edmonston, Miller, and Phelps.

Mr. McBean presented the petition of William H. Martin and others, citizens of Fulton county, praying the passage of an act to organize said county &c.;

Which was read and referred to a select committee of Messrs. McBean, Bryan and Boone.

Mr. Murray presented the petition of David Riley Esq. and others, praying the sale of certain real estate therein named;

Which was read, and,

On motion, referred to a select committee of Messrs. Murray, Vandever, and Craig of P.

Mr. Chamberlain presented the petition of Wm. Prentiss and others, praying for a state road from Goshen in Elkhart county to the centre of Steuben county &c.;

Which was read, and,

On motion, referred to a select committee of Messrs. Chamberlain, Liston, and Thompson of A.

Mr. McBean presented the petition of Francis G. Kendall and others, praying amendments to the law regulating the jurisdiction of justices of the peace;

Which was read, and,

On motion of Mr. McBean,

Referred to the judiciary committee.

Mr. Thompson of A. presented the petition of Jacob Pearson, praying for certain relief therein named;

Which was read, and,

On motion of Mr. Thompson of A.,

Referred to the standing committee on canals and internal improvements.

Mr. Chambers presented the petition of Mary Branham of Jefferson county, praying an act authorizing her to sell certain real estate therein named;

Which was read, and,

On motion, referred to a select committee of Messrs. Chambers, Stapp, and Vawter.

Mr. Zenor presented the petition of W. C. Shipman and others, citizens of Harrison and Floyd counties, praying the location of a state road from Mauksports via Laconia & Elizabeth to New Albany;

Which was read, and,

On motion, referred to a select committee of Messrs Zenor, Wilson, Jones, and Collins.

Mr. Liston presented the petition of Charles M. Heaton and others, citizens of St. Joseph county and vicinity, praying the location of a state road from South Bend to the state line;

Which was read, and,

On motion of Mr. Liston,

Referred to the standing committee on roads.

Mr. Whitman presented the petition of William Wilkinson, praying to be divorced from his wife Mary Wilkinson;

Which was read, and,

On motion, referred to a select committee of Messrs. Whitman, Collins, and Murray.

Mr. Ristine presented the petition of Thomas Faith and others, citizens of Montgomery county, praying that the town of Somerset in said county, may be called Faithsville;

Which was read, and,

On motion, referred to a select committee of Messrs. Ristine, Lee of M. and C., and Templeton.

Mr. Thompson of A. presented the petition of William Bick and others, citizens of Wabash county, praying the establishment of a state road from the town of Lagro in said county, to the town of Goshen in Elkhart county;

Which was read, and,

On motion, referred to a select committee of Messrs. Thompson of A., Chamberlain, and Liston.

On motion, Messrs. Whitman and McBean were added to the standing committee on Canals and internal improvements, and,

On motion, Mr. Howell was added to the standing committee on roads.

Mr. Strain presented the petition of James C. Kelso and others, citizens of the town of Livonia, in the county of Washington, praying an act to vacate and re-establish certain streets and alleys in said town in said petition, named;

Which was read, and,

On motion, referred to a select committee of Messrs. Strain, Clark of Washington, and Harris.

Mr. Wilson, from the select committee, to whom was referred a resolution on that subject, reported,

A joint resolution of the General Assembly (No. 5) of the state of Indiana, relative to the payment of postage;

Which was read the first time and passed to a second reading.

Mr. Vandever moved that the rules of the House be dispensed with, and the same be read a second time;

Which was decided in the affirmative, and said joint resolution was read a second time by the title.

Mr. Bryan moved to indefinitely postpone the same.

And the ayes and noes being called for,

Those who voted in the affirmative are,

Messrs. Armstrong, Bennett, Bryan, Craig of M., Craig of P., Curtis, Edmonston, Eggleston, Harrow, Posey, Ristine, Smith, Stapp, Tompson of J., Vawter, Walker of S., and Watt—17.

And those who voted in the negative are,

Messrs. Bardwell, Boone, Brown, Buell, Carnan, Carr, Chamberlain, Chambers, Chiles, Clark of Washington, Clark of Wayne, Collins, Cushman, Davis, Dunning, Edwards, Evans, Gardner, Graham, Hannaman, Harris, Howard, Howell, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Jones, Kilgore, Lee of B., Lee of M. & C., Liston, Macey, Mason, McBean, McCarty, Miller, Moore, Morris, Murray, Myers, Phelps, Ray, Steele, Storm, Strain, Templeton, Thompson of A., Thompson, of L., Vandever, Walker of D., Whitman, Wilson, Zenor, and Smith, Speaker—56.

And so said resolution was not indefinitely postponed.

Mr. Vawter then moved to refer said joint resolution to a select committee, with instructions to amend the same, by striking out all thereof, but what related to public papers and documents;

Which motion did not prevail.

When,

On motion of Mr. Dunning,

(The rules of the House were dispensed with,) said resolution considered as engrossed, read a third time, and passed.

And the ayes and noes being called for,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Brown, Buell, Carr, Chamberlain, Chambers, Chiles, Clark of Wayne, Clark of Washington, Collins, Cushman, Davis, Dunning, Edwards, Evans, Gardner, Hannaman, Harris, Howard, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Jones, Kilgore, Liston, Macey, Mason, McBean, McCarty, Miller, Morris, Murray, Myers, Phelps, Ray, Steele, Storm, Strain, Templeton, Thompson of A., Thompson of L., Vandever, Walker of D., Whitman, Wilson, Zenor, and Mr. Speaker—50.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Bryan, Craig of M., Craig of P., Curtis, Edmonston, Eggleston, Graham, Harrow, Howell, Lee of B., Lee of M. and C., Moore, Posey, Ristine, Smith, Stapp, Thompson of J., Vawter, Walker of S., and Watt—22.

Ordered, That the Clerk inform the Senate thereof and ask their concurrence.

On motion Messrs. Vawter, Howell, and Clark of Washington were added to the committee on canals and internal improvements.

Mr. Huntington, from the select committee, to whom was referred a resolution on that subject, reported

A bill (No. 6) entitled an act authorizing Joseph D. Clark, a minor, to sell real estate;

Which was read a first time, and,

On motion of Mr. Huntington,

The rules of the House being dispensed with, was read a second time by its title, and engrossed for a third reading,

On motion of Mr. Stapp,

Resolved, That the use of the Hall of the House of Representatives be tendered to the Colonization Society of this place on Tuesday evening next, to be used for the purpose of hearing an address on the colonization cause.

Mr. Jackson, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bill, which originated in the House of Representatives of the following title, to-wit: (No. 2) "an act to provide for empannelling grand and petit jurors in the county of Orange," and find the same truly enrolled.

On motion of Mr. Bryan,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of authorizing the issuing of writs on Sunday, by the clerks of the circuit courts, in all cases where justices of the peace are now authorized to issue writs on that day.

Mr. Clark of Washington moved the following resolution:

Resolved, That the military committee be instructed to inquire into the expediency of instructing our Senators and Representatives in Congress, to use their exertions to procure the repeal of an act of Congress establishing the military academy at West Point.

Mr. Willett moved to refer said resolution to the judiciary, instead of the military committee;

Which motion was decided in the negative,

And the question recurring on the adoption of the resolution, was decided in the affirmative.

On motion of Mr. Bennett,

Resolved, That the committee on education be instructed to inquire into the expediency of revising the school laws of this state; and also the expediency and necessity of furnishing a sufficient number of copies thereof, to supply all township and district trustees with one copy of said laws, with leave to report by bill or otherwise.

On motion of Mr. Eggleston,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the act, entitled "an act directing the mode of suing out and prosecuting writs of habeas corpus," app'd. Jan. 12, 1828, that the person suing out a writ of habeas corpus may be permitted to traverse the return on said writ; and also that said committee be instructed to inquire into the expediency of so amending said act as to allow complete issues to be made upon the return of said writ, so that the rights of the parties may be determined in all cases by the said proceedings, allowing appeals as in other cases, with leave to report by bill or otherwise.

And the House adjourned.

2 o'clock, P. M.

House met.

The Speaker laid before the House a report of the Branches of the State Bank at Richmond and Vincennes;

Which were read and referred to the committee on the State Bank.

The Speaker laid before the House the annual report of the directors of the State Bank of Indiana;

Which was read, and,

On motion, referred to the committee on the State Bank, and 2000 copies thereof ordered to be printed.

The Speaker laid before the House the annual report of the Canal Fund Commissioners;

Which was read, and,

On motion, referred to the committee on the Canal Fund.

On motion of Mr. Morris,

Resolved, That the credentials of the members of this House be referred to the committee on elections.

On motion of Mr. Macey,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the law regulating the jurisdiction of justices of the peace as to authorize the justice in all actions of debt or assumpsit on an open account, in cases where the defendant has been lawfully notified of the time and place of trial and does not appear, to enter up judgment by default against the defendant, and report by bill or otherwise.

Mr. Ray moved the adoption of the following resolution:

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of providing by law for a general system of internal improvements in this state, such as will be equal and have for its object the creation of a Board of Public Works, to superintend the same, and the appropriation of five millions of dollars, to be borrowed upon the credit of the state for the term of thirty years at five per cent. interest, the said sum of money to be payable in ten annual instalments of \$500,000 each to such persons as may be designated, and that if a suitable arrangement can be made with the

State Bank, that such sums of money be annually permanently deposited in said bank and its branches for the full term of the charter of said bank; and that the committee upon the State Bank inquire into the expediency of making the branches of said bank the fiscal agents of said fund for the object aforesaid, and of amending the charter of said bank so as to enable it to issue its paper based upon said deposits, to double the amount thereof, and for this privilege to require said bank to pay to the state in its own paper, the amount of said deposits annually, to be applied to the construction of such objects of internal improvements as may be thought most expedient; and for the purpose of paying the interest on said loan, to require of said bank to pay to the state a reasonable *bonus* for the use of said deposits; and also to enable said bank to issue a reasonable amount of its paper upon the permanent deposits of the United States in the branches thereof, and report by bill or otherwise.

Which was read, and,

On motion of Mr. Ray,

Laid on the table.

On motion of Mr. Posey,

Resolved, That the committee on the judiciary be requested to inquire into the expediency of so amending the criminal law as to cause complaining witnesses to pay cost when the prosecution is not well founded in minor offences and misdemeanors.

On motion of Mr. Chamberlain,

Resolved, That the Governor be requested to lay before this House, any report or other communication he may have received from the United States' Engineers employed in pursuance of a joint resolution of the General Assembly at its last session, to survey a route for a rail road from the Maumee bay on Lake Erie to the rapids of the Illinois river; and also to communicate such other information as he may have in his possession, and may deem proper to be communicated to this House relative to said survey.

On motion of Mr. Macey,

Resolved, That the committee on elections be directed to inquire into the expediency of providing by law for the election of county collectors by the people of the several counties in this state.

On motion of Mr. Miller,

Resolved, That the committee on military affairs be instructed to inquire into the expediency of revising the whole of the militia law of this state, and report by bill or otherwise.

On motion of Mr. Collins,

Resolved, That the committee on the judiciary be directed to inquire into the expediency of repealing the 12th section of an act, entitled "an act reulating distress for rent," approved Feb. 1st, 1831.

On motion of Mr. Huckleberry,

Resolved, That the committee on the judiciary be directed to inquire into the expediency of amending the act, entitled an act for the relief of the poor, approved Feb. 10, 1831, so as to make it the duty of the overseers of the poor, to remove transient paupers or poor to the coun

ty asylum instead of farming them out, as required by the 14th section of said act, with leave to report by bill or otherwise.

On motion of Mr. Kilgore,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the act regulating the practice in suits at law, as to deprive any party of the right to require juries *de medietate lingue*, to be empannelled.

Mr. Ray introduced a joint memorial, (No 7) on the subject of the Cumberland road;

Which was read a first time and passed to a second reading, and,

On motion Mr. Ray,

The rules of the House having been dispensed with, was read a second time and ordered to be engrossed for a third reading.

Mr. Liston introduced a joint memorial, (No. 8) on the subject of the boundary line between the State of Indiana and Michigan Territory;

Which was read and passed to a second reading on Monday next.

Mr. Stapp having first obtained leave, introduced a bill, (No. 9) to incorporate the Madison Savings' Institution;

Which was read a first time and passed to a second reading on Monday next.

Mr. Graham presented the petition of John Ingle and others, citizens of the county of Vanderburg, praying the establishment by law of the mill seat of Thomas Smith on Big Pigeon creek in said county;

Which was read, and,

On motion, referred to a select committee of Messrs. Graham, Howell, and Vawter.

And the House adjourned until Monday next.

MONDAY, DEC. 14, 1835.

House met.

Hiram B. Cole a member of this House from the county of Vermillion, appeared, produced his credentials, and was sworn into office.

The Speaker laid before the House the annual report of the branch of the State Bank at Lawrenceburgh;

Which was read and referred to the standing committee on the State Bank.

Mr. Kilgore presented the petition of Ebenezer G. Carey and others, citizens of Grant county, praying the location of a state road from Chesterfield, Madison county to Marion in Grant county:

Which was read, and,

On motion, referred to a select committee of Messrs. Kilgore, Thompson of A., and Macey.

Mr. McBean presented the petition of sundry citizens of Cass county, praying the location of an additional branch of the State Bank of

Indiana, at some prominent point north of the Wabash river, east of Lafayette, and west of Fort Wayne;

Which was read, and,

On motion of Mr. McBean,

Referred to the standing committee on the State Bank.

Mr. Gregg presented the memorial of the president and directors of the Lawrenceburgh and Indianapolis Rail Road Company, praying a loan of \$500,000 from this state, to aid in the construction of said work;

Which was read and referred to the standing committee on canals and internal improvements.

Mr. Carnan presented the petition of John C. Holland, school commissioner of Knox county, praying an act authorizing the sale of certain lands therein named;

Which was read, and,

On motion, referred to a select committee of Messrs. Carnan, Myers, and Jones. And,

Mr. Myers also presented a petition of the said John C. Holland on the same subject;

Which was read, and,

On motion of Mr. Myers,

Referred to the same select committee.

Mr. Liston, from the select committee, to whom was referred the petition of Joseph Fellows and others, reported

A bill (No. 10) entitled a bill to incorporate the South Bend manufacturing company;

Which was read twice, (the rules of the House having been dispensed with), and,

On motion of Mr. Hustington,

Committed to the standing committee on the judiciary.

On motion of Mr. Brown,

Resolved, That the committee on public buildings be instructed to inquire into the expediency of recommending an appropriation for the purpose of erecting a suitable monument upon the battle ground of Tippecanoe in commemoration of the gallant services and patriotic darings of those who fell on the memorable 7th of November, 1811.

On motion of Mr. Dunning,

Resolved, That the judiciary committee be instructed to inquire into the expediency of repealing the 2d section of an act entitled an act to amend an act regulating the practice in suits at law, approved Feb. 3, 1835, which exempts resident plaintiffs in certain cases from giving security for costs, with leave to report by bill or otherwise.

On motion of Mr. Craig of P.,

Resolved, That the Auditor of Public Accounts be required to lay before this House a succinct statement of the valuation of each county as required by him from the different clerks as required by the 21st section of an act to provide for an equitable mode of levying the taxes of this state, approved Feb. 7, 1835.

On motion of Mr. Bryan,

Resolved, That the committee on the judiciary be instructed to in-

quire into the expediency of authorizing the clerks of the circuit courts to order bail on writs issued by them, in all cases where the judges are now authorized to make such order, and under the same restrictions.

On motion,

Mr. Cole was added to the standing committee on roads.

On motion of Mr. Johnston,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law relative to the jurisdiction and duties of justices of the peace, as to require any justice of the peace, before whom any case may be commenced, in which the title to lands or tenements shall come in question, to certify the proceedings had before him in such case to the circuit court of his county for trial in said court, and that said committee have leave to report by bill or otherwise.

Mr. Lee of Bartholomew moved the adoption of the following resolution:

Which was read, and,

On motion of Mr. Ray,

Laid on the table, to-wit:

Resolved, That the judiciary committee be instructed to report a bill to this House abolishing the present probate court, and to transfer the probate business to the president judge of the circuit court, and to require the judges of the circuit courts to hold three terms thereof in each year in the respective counties in the circuits, and that a certain number of days in each term be set apart for the transaction of probate business and the making up issues, &c., and to make it the duty of the president judges of the circuit court to attend to the settlement of the probate business, and that as a compensation for the performance of such additional duties, the said circuit judges shall receive, in addition to the salary now received by them, the sum of \$300 annually.

On motion of Mr. Chamberlain,

Resolved, That the committee on education be instructed to inquire into the expediency of so amending the act providing for public schools, approved February 2, 1833, and all subsequent acts upon that subject, as to form a general and uniform system of public schools throughout the state, and that said school system be so incorporated with the ad valorem system of taxation, as that the district treasurer of each school district containing twenty children, between the age of four years and twenty-one years in the several counties, be authorized to draw from the county treasurer of the county in which said districts may be situated, thirty dollars annually, to be applied to the support of a common school, open to the free admission and instruction of all children between the ages aforesaid, in said several districts, said money being raised by the ad valorem system of taxation, at the same time and in the same manner as by said system of taxation, the state and county revenue may be proposed to be raised; and also that said committee inquire into the expediency of further modifying said act, as to more effectually render the school section in each township auxiliary to the additional support of schools therein, and that the proceeds thereof be

placed for that purpose equally in the hands of the treasurers of the several school districts containing the aforesaid number of scholars, and that no district shall be less than two miles square unless it contain a sufficient number of scholars to make two or more districts of fifty scholars each, with leave to report by bill or otherwise.

On motion of Mr. Huntington,

Mr. Chamberlain was added to the standing committee on education.

On motion,

Mr. Morris was added to the standing committee on military affairs.

On motion of Mr. Willett,

Resolved, That the Auditor of Public Accounts be directed to lay before this House a specific amount of state revenue chargeable to each county, and the amount actually paid into the treasury for the present year.

Mr. Morris moved the adoption of the following resolution:

Resolved, That the public printers be required to print copies of the journals of this House, and that the clerk be authorized to hand the journals over to the printer as early as practicable, after being read and approved; when,

Mr. Kilgore moved to fill the blank in said resolution with 1000.

Mr. Morris named 500, and,

The question being first taken on 1000, was decided in the negative.

Mr. Kilgore then moved 900, and,

The question being taken thereon, was decided in the affirmative.

Mr. Smith moved to refer said resolution to a select committee; when,

Mr. Huntington moved to amend said motion as follows:

With instructions to inquire into the propriety of providing for the printing of the journals in such a manner as to separate the reports of committees, together with documents that usually go into the journal, from the balance thereof, and to provide for the printing of the documents and reports separately;

Which amendment was adopted, and,

The question recurring on the motion to refer said resolution to a select committee, was decided in the affirmative.

Ordered, That Messrs. Smith, Morris, and Huntington be that committee.

On motion of Mr. Vandever,

Resolved, That the judiciary committee be instructed to inquire what amendments, if any, are necessary to an act entitled an act concerning free negroes, mulatto servants, and slaves, approved Feb. 7, 1831, with leave to report by bill or otherwise.

On motion of Mr. Macey,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law regulating the powers and duties of the Probate Courts, so that judgments in said courts shall be liens on real estate of the person or persons, against whom any such judgment may be rendered from the rendition thereof, and report by bill or otherwise.

On motion of Mr. Myers,

Resolved, That the committee on internal improvements inquire into the expediency of directing surveys to ascertain the practicability, and probable expense of extending the Wabash Canal from Terre-Haute, by Vincennes to some convenient point on the Ohio river.

On motion of Mr. Evans,

Resolved, That the judiciary committee be instructed to inquire into the expediency of repealing so much of the law on the subject of insolvent debtors, as requires the debtor to give bond and security on his application for a discharge.

On motion of Mr. Liston,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of amending the 30th section of the act regulating crime and punishment, so as to increase the punishment of rioters, where they shall exceed 12 in number.

On motion of Mr. Carnan,

Resolved, That the committee on the judiciary be instructed to inquire into the propriety of so amending the act entitled an act, directing the mode of suing out and prosecuting writs of habeas corpus, so as to authorize imprisonment, as well as fine, for refusing obedience to the mandate of said writ, and that they report by bill or otherwise.

On motion of Mr. Miller,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law regulating the duties and jurisdiction of justices of the peace, as to allow them longer time than is now allowed for filing transcripts in the Clerk's office in cases of appeal.

On motion of Mr. Walker of S.,

Resolved, That so much of the Governor's message as relates to the sale of the Governor's circle and building thereon, be referred to the standing committee on the affairs of the town of Indianapolis.

On motion of Mr. Gregg,

Resolved, That the committee on elections be instructed to inquire into the expediency of so amending the 8th section of the act regulating Congressional Districts and elections, as that the representatives in this state to the 25th Congress shall be elected on the 1st Monday of August, 1836, and that Representatives to each succeeding Congress, be elected bi-ennially thereafter.

On motion of Mr. Hubbard,

Resolved, That the committee on roads be instructed to inquire into the expediency of so altering the 70th section of the road law, as to make it necessary for persons paying an equivalent, to pay 75 instead of 50 cents, for each day's failure to work, as required by the present road law.

On motion of Mr. Wilson,

Resolved, That so much of the Governor's message as relates to loaning the unexpended balance appropriated to the improvement of the Wabash river, be referred to the committee of ways and means.

On motion of Mr. Vawter,

Resolved, That the committee on the judiciary inquire into the expe-

dency, of so amending the 20th section of an act for the prevention of frauds and purjuries, approved January 24, 1831, so as to secure to an infant or infants born after the making a will, divising goods, lands, and tenaments, an equal interest in the estate divised, with those provided for in such last will and testament, and that such subsequent birth or births shall not operate as an entire revocation of such last will and testament.

On motion of Mr. Morris,

Resolved, That an additional number of seven, consisting of one from each Congressional district, be added to the select committee of fourteen, on the subject of the apportionment of this state.

A message from the Senate by Mr. Morrison their Secretary.

Mr. SPEAKER—

The Senate have concurred in the 1st and 2d amendments made by the House of Representatives, to the joint rules for the transaction of business between the two Houses, being by adopting a 10th and 11th rules, with an amendment, in which the concurrence of the House of Representatives is requested.

The Senate have refused to concur in the 3d amendment proposed by the House of Representatives to said joint rules, which is by adding a 12th rule.

Mr. Morris moved that the House concur therein;

And the question being taken on the first amendment of the Senate.

It was decided in the affirmative.

Mr. Morris moved that the House recede, as to that part of their amendments to the joint rules, in which the Senate refused to concur;

And the question being put thereon, was decided in the affirmative.

Ordered, That the clerk inform the Senate thereof.

And the House adjourned until to-morrow at 2 o'clock, P. M.

TUESDAY, DEC. 15, 1835.

2 o'clock, P. M.

House met.

The Speaker laid before the House a communication and report on the subject of the census, from William Sheets, Secretary of State;

Which were read, and,

On motion of Mr. Willett,

Laid on the table.

Mr. Evans, (having first obtained leave,) moved the adoption of the following resolution,

Which was read and adopted, to wit:

Resolved, That the committee of ways and means, to whom was referred the report of the Secretary of State, on the subject of public printing, and also the communication of Henkle and Hefley on that subject, be authorized to call before them the officers whose duty it was to contract for the public printing, and also the said Henkle and Hefley, and such other persons as it may be necessary, in order to acquire knowledge of all the facts connected with the manner in which the contracts were made.

The Speaker laid before the House a report of the Treasurer of State on the subject of the three per cent. fund;

Which was read, and,

On motion of Mr. Willett,

Ordered, That 500 copies thereof be printed.

Mr. Eggleston presented the petition of Francis G. Sheets and others, citizens of Vevay, in Switzerland county, praying an act to incorporate said town;

Which was read, and,

On motion, referred to a select committee of Messrs. Eggleston, Smith, and Walker of D.

Mr. Vandever presented the petition of sundry citizens of the county of Orange, praying the construction of a turnpike road from the town of New Albany on the Ohio, to the town of Vincennes on the Wabash river;

Which was read, and,

On motion of Mr. Vandever,

Referred to the standing committee on canals and internal improvements.

Mr. Liston presented the petition of sundry citizens of Michigan City and vicinity, in the state of Indiana, praying a repeal of a part of an act establishing a State Bank, and also praying the location of an additional Branch of said Bank;

Which was read, and,

On motion of Mr. Liston,

Referred to the standing committee on the State Bank.

Mr. Chamberlain presented the petition of Henry White, and others, citizens of Elkhart county, praying an extension of the time of holding Courts in said county;

Which was read, and,

On motion of Mr. Chamberlain,

Referred to the standing committee on the judiciary.

Mr. Thompson of L. presented the petition of sundry citizens of the county of Lawrence, praying that the line between the counties of Lawrence and Jackson, may be straightened;

Which was read, and,

On motion, referred to a select committee of Messrs. Thompson of L., Carnan, and Murray.

Mr. Chamberlain, presented the petition of sundry citizens of Kosciusko county, praying the location of a state road from Fort Wayne

to intersect the Lagrange road, where it crosses the Tippecanoe river at the residence of Peter Warner, in Kosciusko county;

Which was read, and,

On motion, referred to a select committee of Messrs. Chamberlain, Liston, and Thompson of A.

Mr. Liston presented the petition of sundry citizens of the counties of St. Joseph and Laporte, praying the location of a state road from the northern line of Indiana, where the United States' road, leading from Detroit to Chicago comes to said line, via Lakeport, Plumb Grove, Hunt's Tavern, and Laporte, to the western line of the State, in the direction of Chicago,

Which was read, and,

On motion of Mr. Liston,

Referred to the standing committee on roads.

Mr. Vandever presented the petition of Samuel Wolfington of Orange county, praying for certain relief therein named;

Which was read, and,

On motion of Mr. Vandever,

Referred to the standing committee on claims.

Mr. Ristine presented the petition of Israel Hamilton and others, citizens of Clinton and Tippecanoe counties, praying a state road from the town of Jofferson, in Clinton county, to the town of Dayton, in Tippecanoe county;

Which was read, and,

On motion of Mr. Ristine,

Referred to the standing committee on roads.

The Speaker laid before the House a communication and report from Howard Stansbury, U. S. assistant civil engineer, on the subject of the projected Michigan and Wabash Canal in 1829;

Which were read, and,

On motion of Mr. Willett,

Laid on the table.

On motion of Mr. Bryan,

Resolved, That the judiciary committee be instructed to inquire into the expediency of authorizing guardians to make application for the sale of land in any county in the state, to the court that appointed them, and where such sales have been made, to legalize them.

On motion of Mr. Vandever,

Resolved, That the committee on the judiciary be instructed to inquire what, if any amendments, are necessary to an act entitled an act to license taverns and groceries, approved Feb. 3, 1835, with leave to report by bill or otherwise.

On motion of Mr. McCarty,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of amending the 25th section of an act in furtherance of an act to provide a fund to encourage common schools, approved Feb. 7, 1835, so as more effectually to secure the rights of minors to lands which may hereafter be forfeited for the non-payment of taxes during minority, and which may belong to them by bequests

or other derived title, and that said committee report by bill or otherwise.

Mr. Collins moved the adoption of the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so modifying the remedy by distress for rent, as to allow the tenant to appear and controvert the demand of the landlord and make full defence against the same without making replevy of the property so distrained, with leave to report by bill or otherwise.

Mr. Evans moved to amend said resolution by striking it out from the resolving clause and insert in lieu thereof the following:

That the committee on the judiciary be instructed to inquire into the expediency of repealing the law authorizing distress for rent;

Which motion did not prevail, and,

The question then recurring on the adoption of said resolution, was decided in the affirmative.

On motion of Mr. Collins,

Resolved, That the committee on the judiciary be directed to inquire into the expediency of subjecting equitable interest and choses in action to execution at law, with leave to report by bill or otherwise.

Mr. Posey moved the adoption of the following resolution:

Resolved, That the committee on roads be requested to inquire into the expediency of so amending the road law, as to define the time that each person that is subject to labor on roads shall commence work in the morning of each day, to report by bill or otherwise.

Mr. Bryan moved to amend said resolution by defining the number of hours each person shall work in each day;

Which motion did not prevail, and,

The question then recurring on the adoption of said resolution was decided in the affirmative.

On motion of Mr. Steele,

Resolved, That so much of the Governor's message as relates to the State College at Bloomington, be referred to the committee on education.

Mr. Eggleston moved the adoption of the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing by law that executors of their own wrong be made liable out of their own estates, for the debts of the decedent, with leave to report by bill or otherwise. And,

The question being put, shall said resolution be adopted? was decided in the negative.

On motion of Mr. Hannaman,

Resolved, That the committee on roads be instructed to inquire into the expediency of punishing supervisors by indictment for any neglect of duty.

Mr. Strain moved the adoption of the following resolution:

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the revenue law as to make it general.

Mr. Stapp moved to amend said resolution by striking out the words

"judiciary committee" and inserting in lieu thereof "committee of ways and means;"

Which motion prevailed, and,

The question then recurring on the adoption of said resolution as adopted, was decided in the affirmative.

Mr. Thompson of L. moved the adoption of the following resolution:

Resolved, That a select committee be appointed with instructions to inquire into the expediency and propriety of abolishing public executions of all criminals convicted of an offence, punishable with death.

Mr. Huntington moved to amend said resolution by adding thereto,

And the propriety of abolishing imprisonment for debt;

Which motion prevailed, and,

On motion of Mr. Evans,

Said resolution was laid on the table.

Mr. Vawter introduced

A joint resolution, (No. 11) on the subject of maps;

Which was three times read, (the rules of the House having been dispensed with) and passed.

Ordered, That the Clerk carry the same to the Senate and ask their concurrence.

Mr. Craig of M. presented

A joint memorial, (No. 12) on the subject of the pre-emption law;

Which was read a first time and passed to a second reading on to-morrow.

A joint resolution, (No. 7) on the subject of the Cumberland road was read a third time and passed.

Ordered, That the Clerk carry the same to the Senate and ask their concurrence.

On motion of Mr. Chiles,

Mr. Thompson of L. and Huntington were added to the select committee appointed to investigate certain charges against Mr. Nave.

A bill (No. 9) to incorporate the Madison Savings' Institution, was taken up and read a second time, and,

On motion of Mr. Stapp,

Referred to the standing committee on the judiciary.

A joint resolution (No. 8) on the subject of the boundary line between the State of Indiana and Lake Michigan was taken up and read a second time, and,

On motion of Mr. Stapp,

Committed to a committee of the whole house and made the order of the day on to-morrow.

And the House adjourned.

WEDNESDAY, DEC. 16, 1835.

The House met.

Mr. Collins presented the petition of William Adams and others, citizens of Clark county praying for the location of a state road from New Albany to Charlestown;

Which was read and referred to a select committee of Messrs. Collins, Whitman, Huckleberry, and Armstrong.

Ordered, That the select committee appointed to investigate certain charges against Mr. Nave have leave of absence from this House during the investigation thereof.

Mr. Huntington was excused by the House from serving on said committee, and,

On motion,

Mr. Collins was added to said select committee.

Mr. Chambers presented the annual report of the Hanover College;

Which was read, and,

On motion of Mr. Collins,

Referred to the standing committee on education.

Mr. Edmonston presented the petition of J. W. Porter and others, praying an appropriation on a state road from Princeton in Gibson county to Paoli in Orange county;

Which was read, and,

On motion of Mr. Edmonston,

Referred to the standing committee on canals and internal improvements.

Mr. Liston presented the petition of A. P. Andrews and others, citizens of Laporte county, praying the location of the 12th branch of the State Bank of Indiana, within the year 1836;

Which was read, and,

On motion of Mr. Liston,

Referred to the standing committee on the State Bank.

Mr. Graham presented the remonstrance of William Olmstead against the petition of Thomas Smith, praying a law enabling him to continue a dam across Pigeon creek in Vanderburg county;

Which was read and referred to the committee on the judiciary, and,

On motion, the said petition of the said Thomas Smith, heretofore referred to a select committee on the same subject, was also referred to the judiciary committee.

Mr. Liston presented the petition of Charles H. Paine, preferring certain charges against William Polke, Commissioner on the Michigan Road;

Which was read, and,

On motion of Mr. Liston,

Referred to a select committee of Messrs. Liston, McBean, Ristine, Bryan, and Vawter.

Mr. Jones presented the petition of Rufus Brown and others, citi-

zens of Martin county, praying the aid of the state in the construction of a turnpike road from New Albany to Vincennes.

Which was read, and,

On motion of Mr. Jones,

Referred to the committee on canals and internal improvements.

Mr. Watt presented the petition of Ira Grover and others, citizens of the town of Brownsville, Union county, praying an act authorizing an election for justice of the peace for said town;

Which was read and referred to a select committee of Messrs. Watt, Bennett, and Clark of Wayne.

Mr. Thompson of A. presented the petition of William Johnston, praying certain relief therein named;

Which was read, and,

On motion of Mr. Thompson of A.,

Referred to the standing committee on claims.

Mr. Huntington presented the petition of E. M. Jones of Vigo county, praying an extension of the time in which to return assessments of property under the revenue law of last session;

Which was read and referred to a select committee of Messrs. Huntington, Carnan, and Cushman.

Mr. Chambers, from the select committee, to which was referred the petition of Mary Branham, reported

A bill (No. 14) to authorize Mary Branham to convey real estate;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Huntington, from the select committee, to which was referred the petition of E. M. Jones of Vigo county, reported

A bill (No. 13) to establish the time of returning to the clerks of the several counties, and to the auditor of state, assessments of property under the revenue law of 1835;

Which was three times read, (the rules of the House having been first dispensed with) and passed.

Ordered, That the Clerk inform the Senate thereof and ask their concurrence therein.

Mr. Murray, from the select committee, to which was referred the petition of the school commissioner of Orange county, reported

A bill (No. 15) to authorize the sale of certain school lands in Orange county;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Walker of D., from the select committee, to which was referred the petition of sundry citizens of the county of Dearborn on that subject, reported

A bill (No. 16) to locate a state road in Dearborn county, from the town of Dillsboro to Aurora in said county;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Gregg, from the select committee, to which was referred the petition of sundry citizens of Dearborn county on that subject, reported

A bill (No. 17) to incorporate the Lawrenceburgh and Harrison Turnpike Company;

Which was read the first time and passed to a second reading on to-morrow.

The Speaker announced the appointment of the following addition to the select committee of fourteen on the subject of the apportionment, to-wit:

Messrs. Morris, Phelps, Huntington, Macey, Smith of R., Evans, and Vawter.

Mr. Stapp was, by the House, excused from serving on the select committee appointed to investigate certain charges against Mr. Nave.

Mr. Edmonston, from the select committee, to which was referred the petition of sundry citizens of Daviess county on that subject reported

A bill (No. 18) to establish as a state road the county road from Jasper *via* Portersville and Smith's ferry, on the east fork of White river, to Washington in Daviess county;

Which was read the first time and passed to a second reading on to-morrow.

On motion of Mr. Brown,

Resolved, That the committee of ways and means be instructed to inquire into the propriety and expediency of authorizing the county treasurer of each county to act as the collector of the revenue, that the taxes may be made payable at the county seat and that the school commissioner be allowed to hold both offices, and that said committee report by bill or otherwise.

On motion of Mr. Davis,

Resolved, That the committee on military affairs be instructed to inquire into the expediency of so amending the military law of this state as to exempt in time of peace, all persons who have served or may in future serve five years as commissioned officers in any regiment in this state, with leave to report by bill or otherwise.

Mr. Morris, from the select committee, to which was referred a resolution relative to printing the journals of this House made the following report:

Mr. SPEAKER—

The select committee to which was referred a resolution relative to the printing of the journals of the House of Representatives, with instructions to amend the same by providing for the printing of the public documents in separate volumes, report,

That they have considered the same and amended the resolution by striking it out from the resolving clause, and inserting the following:

That the public printer be directed to print 1000 copies of the journals of this House and 300 copies of the public documents in separate volumes.

Resolved, That in the volume of documents shall be printed all reports made to this House, in pursuance of any law, or by resolution of

this House, in the order they are presented, and that the clerk be instructed not to enter such documents on the journals, but to make the proper references, both upon the journals of the House and the documents.

Resolved, That the clerk hand over to the public printer the journals of the House as early after being read and approved as practicable.

In which amendments they ask the concurrence of the House.

And the question being put, will the House concur in said report, was decided in the affirmative.

On motion of Mr. Ray,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of compelling the collectors of the respective counties of this state, to give bond for the faithful performance of their duties in a greater amount than five thousand dollars, and that said committee also inquire into the expediency of authorizing the appointment of more collectors than one in each county in this state, when thought necessary or expedient by the board doing county business in the respective counties.

On motion of Mr. Storm,

Resolved, That the committee on roads be instructed to inquire into the expediency of having a suitable number of copies of the general road laws printed in pamphlet form, and furnished to each county in this state, for the use of supervisors of roads in said county.

On motion of Mr. Posey,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the execution law as to require of officers who may have to sell property by authority of execution or other process, to sell the same on a credit for the length of time the judgment defendant would have the right of stay or replevy, taking a bond and security from the purchasers, to have the force and effect of a stay or replevy bond, to report by bill or otherwise.

On motion of Mr. Carnan,

Resolved, That the committee on the judiciary be instructed to inquire what, if any, amendments be necessary to the different acts of our state, subjecting real and personal estate to execution, with leave to report by bill or otherwise.

On motion of Mr. Buell,

Resolved, That the committee on military affairs be instructed to inquire into the expediency of amending the militia law, so as to insure the more certain collection of military fines.

On motion of Mr. Bryan,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of making trespass on land, so far transitory as to authorize suit against any person committing the same wherever he may be found within the state.

Mr. Chamberlain moved the adoption of the following resolution:

Resolved, That the committee on military affairs be instructed to inquire into the expediency of authorizing by law the calling of a convention of delegates chosen by the people to assemble at Indianapolis,

in the Representatives' Hall, in the month of July next, or at some other convenient time prior to the next session of the General Assembly, whose duty it shall be to digest and frame a more practical and efficient militia system for the state of Indiana by limiting the requirements of the actual performance of military duty to those citizens now required to do said duty, who are between the ages of eighteen and thirty years, and increasing the number of days duty required of them to perform. And permitting them to form companies of light infantry, riflemen, cavalry, and artillery, or such other description of light companies as a majority of the members of each company in their own discretion may determine; and by arming them as far as practicable, with the public arms at the disposal of the state, and by such other means as may be devised, and by exempting them during the period they are thus required to perform military duty from the payment of road and poll tax, or any tax the exemption from which, shall be an equivalent for the performance of said duty, and by requiring of all military officers, such testimonials, of an adequate knowledge of military science, as shall be most appropriate to that military organization, which is most consistent with the peculiar nature of our political institutions, or to adopt any system which may result from their deliberations, either in accordance with these suggestions or otherwise, or to recommend the entire abolition of our present militia system, and the useless task it imposes on the great body of the citizens, so far as would be consistent with constitutional requirements, should the deliberations of said convention lead them to such result.

And that the said convention shall consist of one half the number of members, as near as may be, that the House of Representatives will consist of under the new apportionment, one to be chosen from the same extent of territory which will send two members to this House at the next session of the legislature, and that they receive the same compensation; and that said convention report the result of their deliberations to the next General Assembly for its confirmation, amendment, or rejection.

Resolved further, That said committee inquire into the expediency of exempting from military duty, in the mean time, until some salutary reform of the militia system is produced, all persons now liable to said duty, who shall produce to the military court of assessment or of appeals, a certificate from the supervisor of high ways of having worked on the road a number of days in addition to the number of days he is otherwise by law required to work, equal to the number of days he may claim to be thus exempt from military duty, with leave to report by bill or otherwise.

Mr. Huckleberry moved to amend said resolution by striking it out from its resolving clause and insert in lieu thereof the following, viz:

That the committee on military affairs be directed to inquire what amendments are necessary to the militia law of this state at this time, and what legislation is necessary to place the militia of this state on its proper footing, with leave to report by bill or otherwise.

And before any vote was taken thereon,

The Speaker announced that the time for the introduction and discussing resolutions of had expired for the day.

And the House adjourned.

2 o'clock, P. M.

House met.

Mr. Davis introduced

A bill (No. 19) to legalize the proceedings of the commissioner of a state road therein named;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Bardwell presented

A bill (No. 20) to amend the act entitled an act to re-locate a certain state road in the counties of Hancock and Henry, app'd. Feb. 7, 1835, and for other purposes;

Which was read the first time and passed to a second reading on to-morrow.

A message from the Senate by Mr. Morrison their Secretary:

Mr. SPEAKER—

The Senate has passed an engrossed memorial of the General Assembly of the State of Indiana, (No. 3) to the Congress of the United States, praying further appropriations on the National Road, within the State of Indiana, and a resolution of the Senate, which is as follows:

Resolved, That the 8th joint rule for conducting business in the two Houses of the General Assembly be rescinded, and that the House of Representatives be informed thereof and their concurrence requested.

In which memorial of the General Assembly, and resolution of the Senate, the concurrence of the House of Representatives is requested.

The memorial of the Senate,

(No. 3) named in said message, praying the Congress of the United States for further appropriations on the National Road, was read the first time and passed to a second reading on to-morrow.

So much of the said message as related to the 8th joint rule of both Houses was taken up, and,

On motion of Mr. Huntington,

Referred to the select committee heretofore appointed on the part of this House on that subject.

The Speaker laid before the House the annual report of the Auditor of State containing a statement of the receipts and expenditures for the year 1835; and also a report on the subject of the taxable lands of this State.

Which were read, and,

On motion of Mr. Willett,

Referred to the committee of ways and means.

On motion of Mr. Willett,

Ordered, That 500 copies thereof be printed.

A bill (No. 3) to amend an act entitled an act to incorporate the

Wabash and Michigan Rail Road Company, approved Feb. 2, 1832, was read a second time and ordered to be engrossed for a third reading on to-morrow.

A bill (No. 4) to re-locate a state road in the county of Orange, from Orleans to George French's, was read a second time and ordered to be engrossed for a third reading on to-morrow.

A message from the Senate by Mr. Morrison their Secretary:

Mr. SPEAKER—

The Senate has passed an engrossed joint resolution (No. 4) on the subject of the admission of Michigan Territory into the Union, in which the concurrence of the House of Representatives is requested.

The engrossed joint resolution of the Senate (No. 4) named in said message on the subject of the admission of Michigan Territory into the Union, was twice read (the rules of the House having been dispensed with) and,

On motion of Mr. Brown,

Referred to the same committee of the whole, to which was referred the joint resolution of this House on the same subject.

A bill (No. 10) to incorporate the South Bend manufacturing company, was read a second time and committed to the committee on the judiciary.

The joint resolution (No. 12) relative to granting pre-emptions to settlers on the public lands of the United States within the State of Indiana, was read the second time;

Whereupon,

Mr. McCarty moved to amend the same by striking it out from its resolving clause and inserting in lieu thereof the following:

"That our Senators in Congress be instructed and our Representatives requested to use their exertions to continue in force the act granting pre-emptions to settlers on the lands of the United States so far as to grant pre-emptions on any of the lands of the United States which have been in market for the term of three years, and that his Excellency the Governor transmit a copy of this resolution to each of our Senators and Representatives in Congress as soon as practicable."

Mr. Ristine moved to postpone indefinitely the further consideration of said joint resolution with the amendment thereto.

Mr. Willett moved to lay the same on the table;

Which motion was negatived, and,

The question recurring upon the motion of Mr. Ristine to indefinitely postpone the further consideration thereof,

And the ayes and noes being demanded by two members,

Those who voted in the affirmative are,

Messrs. Chambers, Clark of Wayne, Curtis, Cushman, Eggleston, Evans, Gardner, Gregg, Huntington, Jackson, Lee of M. and C., Liston, Macey, Mason, McBean, Posey, Ray, Ristine, Stapp, Thompson of A., Thompson of J., Vawter, Walker of D., and Smith, Speaker—24.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Brown, Bryan, Buell, Carnan, Carr, Chamberlain, Clark of Washington, Craig of M., Craig of P., Davis, Dunning, Edmonston, Edwards, Graham, Hannaman, Harrow, Harris, Howard, Howell, Hubbard, Huckleberry, Johnston, Jones, Lee of B., McCarty, Miller, Moore, Morris, Murray, Myers, Phelps, Smith, Steele, Storm, Strain, Templeton, Vandever, Walker of S., Watt, Whitman, Willett, Wilson, and Zenor—47.

And so the further consideration of said resolution and amendment was not indefinitely postponed.

Mr. Brown moved to commit the same to a select committee;

Which motion was negatived.

Mr. Craig of P. moved to amend the said amendment as follows, viz:

"That settlers on Congress lands in consideration of the benefits conferred on them by the pre-emption laws, shall be bound to pay a tax on at least 40 acres as other holders of real estate do;"

Which was not adopted.

Mr. Howell moved further to amend said amendment by striking out "three" and inserting "ten" years;

Which was also negatived.

Mr. Morris moved to commit the said resolution and amendment to a committee of the whole House for to-morrow;

Which was decided in the negative.

Mr. Hubbard moved to amend the said amendment by substituting "five" years instead of "three" years;

Which was lost.

Mr. Chamberlain moved to amend the said amendment as follows:

"And that said law extend to such persons whose improvements may fall on section 16, as also Indian reservations or floats;"

Which was also lost.

Mr. Evans moved further to amend said amendment as follows:

"And to provide that no person shall be entitled to a pre-emption right, who shall be, at the time of claiming the same, the owner of any other lands;"

Which was negatived.

Mr. Vawter moved to amend said amendment by adding the following:

And that such pre-emption right shall be for the term of ten years to each and every settler;

Which was in like manner negatived; and,

The question being taken on the adoption of the said amendment, it was decided in the affirmative.

Ordered, That the said joint resolution as amended, be engrossed for a third reading.

And the House adjourned.

THURSDAY, DECEMBER 17, 1835.

The House met.

The Speaker laid before the House a report of the Canal Fund Commissioners, which was read.

Mr. Davis moved that said report be referred to the standing committee on canals and internal improvements, and that one thousand copies thereof be printed.

Mr. Willett moved 500.

Mr. Huntington moved to lay said report on the table; which was carried in the affirmative.

Mr. Steele presented the petition of sundry persons, praying the repeal of a portion of the militia law;

Which was read, and,

On motion of Mr. Steele,

Referred to the standing committee on military affairs.

Mr. Strain presented the petition of John Ellis and others, praying for an appropriation to the New Albany and Vincennes road;

Which was read, and,

On motion of Mr. Strain,

Referred to the standing committee on canals and internal improvements.

Mr. Morris presented the petition of Wm. Young and others, of Indianapolis, praying for the establishment of an insurance office in said town;

Which was read and referred to a select committee of Messrs. Morris, Kilgore, and Collins.

Mr. Carnan presented the petition of A. T. Ellis and others, praying an act of incorporation for the Vincennes Academy;

Which was read, and,

On motion, referred to a select committee of Messrs. Carnan, Huntington, and Myers.

Mr. Gregg presented the petition of the corporation of Lawrenceburgh, praying a repeal or suspension of the act removing the seat of justice of the county of Dearborn;

Which was read, when

Mr. Gregg moved to refer the same to the judiciary committee.

Mr. Walker of D. moved to lay said petition on the table;

Which motion was decided in the negative.

Mr. Walker of D. then moved to refer it to a select committee;

Which motion was lost.

And the question recurring on referring the said petition to the judiciary committee, was decided in the affirmative.

Mr. Morris presented the petition of Richard D. Mattingly of Marion county, praying for certain relief therein named;

Which was read, and,

On motion, referred to the standing committee on claims.

Mr. Gregg, from the committee on elections in pursuance of a resolution on that subject, reported

A bill (No. 21) to amend an act for the formation of Congressional Districts for the election of Senators and Representatives in Congress;

Which was read the first time, and passed to a second reading on tomorrow.

Mr. Wilson, from the committee of ways and means, to whom was referred the report of the Secretary of State, as also the petition of Messrs. Henkle and Hefley, on the subject of the public printing, made the following report;

Which was read and concurred in, viz:

Mr. SPEAKER—

The committee of ways and means, to whom was referred the report of the Secretary of State upon the subject of the public printing, as also the petition of Messrs. Henkle and Hefley upon the same subject, have had the same under consideration, and have directed me to report,

That availing themselves of a resolution of the House giving them authority to call before them the officers of State, whose duty it was to attend to the letting of the public printing, as also Messrs. Henkle and Hefley, the petitioners complaining, they procured the attendance of the persons named, and proceeded to an examination of them touching the matter referred.

The Secretary of State, the Auditor of Public Accounts, and the Treasurer of State, concurred in admitting the facts as contained in the petition, (to-wit) that the bid of Messrs. Henkle and Hefley, for the one third of the printing, was the same as the bid of Messrs. Bolton and Emmons, & Douglass and Maguire, and that the proposition of the petitioners for the *whole* printing was at an inconsiderable amount less than the contract made with the present printers; alleging as their reason for not accepting the bid of the petitioner for the one third, the fact of Messrs. Bolton and Emmons and Douglass and Maguire refusing to contract, unless upon the condition that they should receive the entire public printing, and that estimating the difference in the respective propositions for the *whole* work, not to exceed in amount fifty dollars, they did not hesitate to believe that the public interest would not justify the *risk* of delay in the printing of public documents to be reasonably anticipated, when only one office was engaged in that work.

Your committee would here remark that the contract made with the present printers is at a small sum less than that of the last year.

Your committee entertain the same views with officers of State, concur in recommending to the House the adoption of the following resolution, and ask to be discharged from the further consideration of this matter:

Resolved, That the conduct of the Secretary of State, the Auditor of Public Accounts, and the Treasurer of State, in the letting of the public printing, was directed with a view solely to the public interest.

Mr. Stapp, from the judiciary committee, to which was referred the bill (No. 9) to incorporate the Madison Savings' institution, reported that said committee had had the same under consideration, and had made three amendments thereto; in which the concurrence of the House was requested.

Mr. Willett moved to amend the first amendment of said committee, by striking out the word "fifty" and insert in lieu thereof the word "twenty;"

Which motion carried.

And the question being put, will the House concur in said first amendment as amended?

It carried in the affirmative.

Mr. Ray moved to amend the 2d amendment to said bill by adding thereto the following:

And provided that said corporation shall never receive any greater or higher rate of interest upon any money discounted or loaned than the Branches of the State Bank of Indiana by the charter thereof, are authorized to receive;

Which motion prevailed.

On motion of Mr. Stapp,

Said bill and amendments were laid on the table.

Mr. Liston, from the judiciary committee, to which was referred the bill (No. 10) to incorporate the South Bend Manufacturing Company, reported the same with two amendments, in which the concurrence of the House was requested.

Mr. Evans moved to re-commit said bill to a select committee;

Which motion carried in the affirmative.

Ordered, That Messrs. Liston, Evans, and Eggleston be that committee.

And the House adjourned.

2 o'clock P. M.

House met.

Mr. Johnston, from the joint committee on enrolled bills, reported that they did on this day present to his excellency the Governor, for his approval and signature, a bill which originated in the House of Representatives of the following title, to-wit:

No. 2—An act to provide for summoning and empannelling grand and petit jurors in the county of Orange.

Mr. Vandever, from the select committee to which was referred a resolution on that subject, reported

A bill (No. 22) for the electing of trustees to receive deeds for lots of land given or purchased for the use of schools and meeting houses;

Which was read the first time and passed to a second reading on tomorrow.

Mr. McBean, from a select committee to which was referred a petition on that subject, reported

A bill (No. 23) to locate a state road Delphi in Carroll county, to Dayton in Tippecanoe county;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Strain, from the select committee to which was referred the petition of Ira Richardson and others on that subject, reported

A bill (No. 24) establishing as a state road the county road from Lavonia to George Becks';

Which was read the first time and passed to a second reading on to-morrow.

Mr. Graham, from the select committee to which was referred a petition on that subject, reported

A bill (No. 25) declaring a certain road therein named a state road;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Carnan, from the select committee to which was referred the petition of A. T. Ellis on that subject, reported

A bill (No. 26) to incorporate the Vincennes Academy;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Stapp, from the judiciary committee to which was referred sundry resolutions, made the following report:

Mr. SPEAKER—

The judiciary committee to whom was referred a resolution to enquire what amendments if any are necessary to an act concerning free negroes, mulattoes, servants, and slaves, approved February 10, 1831;

Also, to enquire into the expediency of repealing so much of the law on the subject of insolvent debtors, as requires the debtor to give bond and security, on his application for a discharge;

Also, to enquire into the expediency of so amending the 20th section of an act for the prevention of frauds and perjuries, approved 24th January, 1831, so as to secure to an infant or infants, born after making a will divising goods, land, and tenements, an equal interest in the estate divided with those provided for in such last will and testament; and that such subsequent birth or births shall not operate as an entire revocation of such last will and testament;

Also, to inquire into the expediency of so amending the criminal law as to cause the complainant to pay costs in cases where the prosecution is not well founded in minor offences and misdemeanors—have had the same under consideration, and have directed me to report that it is inexpedient to legislate on the subject matter of said resolutions;

Which said report was concurred in, except so much thereof as relates to the law concerning negroes, mulattoes, &c., which,

On motion of Mr. Huntington,

Was laid on the table.

Mr. Ristine, from the select committee to which was referred a petition on that subject, reported

A bill (No. 27) to repeal the act to incorporate the Crawfordsville Seminary;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Liston, from the select committee to which was referred the bill, No. 10, to incorporate the South Bend Manufacturing Company, reported the same with amendments to the second section;

Which said report and amendments were concurred in, and said bill left on the table.

On motion of Mr. Dunning,

Resolved, That a select committee be appointed to enquire into the expediency of authorizing the commissioner of the reserved township of seminary lands in Monroe county, to divide the residue of said lands in said township into forty acre tracts, and to sell them under the requisitions of the act heretofore passed providing for the sale of said seminary lands, with leave to report by bill or otherwise.

Ordered, That Messrs. Dunning, Moore, and Craig of P. be that committee.

The House resumed the consideration of the resolution proposed by Mr. Chamberlain, on the subject of the militia law, left on the table on yesterday morning.

And the question being put on the amendment proposed thereto by Mr. Huckleberry, was decided in the affirmative, and said resolution as amended was adopted.

On motion of Mr. Huntington,

Resolved, That the public printer be directed to print for the use of this House twelve hundred copies of all reports and documents which have been or may be transmitted to this House by the canal and canal fund commissioners of this state, and by all officers connected with the surveys made during the past season of canal, rail-road and turnpike routes, and that in order to expedite the printing thereof copies of such reports and documents as have already been laid before the House be immediately furnished to said printers.

Resolved, That in all cases where reports or other papers are ordered to be printed for the use of this House, the printers thereof be directed to print an additional number of three hundred copies thereof over and above those ordered by the House, which said additional copies shall be deposited at the book-binders, or otherwise preserved, so that the same may be bound with and constitute a part of the journals of reports and documents heretofore provided for by a resolution of this House, and that in all cases the printer print such papers in such form as to meet the objects of this resolution.

On motion of Mr. Vandever,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the execution law, as to repeal so much thereof as exempts certain property from execution, with leave to report by bill or otherwise.

On motion of Mr. Walker of D.,

Resolved, That evidence of contract made with, and all evidence in

relation to the establishment heretofore of the seat of justice for Dearborn county in the town of Lawrenceburgh, be laid before the committee on the judiciary by the present memorialists.

Resolved, That the proceedings of the Commissioners in re-locating the seat of justice of Dearborn county, at or near the town of Wilmington, be laid before the judiciary committee.

On motion of Mr. Murray,

Resolved, That the committee on ways and means be requested to enquire into the expediency of so amending the several sections of the revenue act as relates to the assessment of the taxable property in the several counties in this state, as to transfer the same to some one assessor in each township in a county, whose duty it shall be to give due notice of his intention to meet the citizens of the township for which he may have been appointed, at a certain time and place, to take a list of taxable property aforesaid, and also to make it the duty of citizens of said township to attend at such time and place, and give in a written list of taxable property, and also to make it the duty of the board doing county business to make said assessor a reasonable compensation for his services aforesaid, with leave to report by bill or otherwise.

On motion of Mr. Armstrong,

Resolved, That the Secretary of State be requested to furnish this House with the reports required to be made to his office by the Superintendent of the State Prison by the 6th and 7th sections of the act for the regulation of said prison, approved 10th February, 1831, and also such information as may be in his possession relative to the title of the ground on which said Prison is erected.

On motion of Mr. Myers,

Resolved, That the committee on canals and internal improvements be instructed to enquire into the expediency of appointing one or more sub-commissioners to act under the commissioners already appointed, to expedite and superintend the improvement of the navigation of the Wabash river, the expense to be defrayed out of the appropriation of the \$24,000 heretofore made, and to avoid any clashing with the work now under execution, that the Executive be authorized to designate the points to be improved.

Resolved further, That with a view that the whole Wabash country may be benefited by having the navigation of that river improved as speedily as practicable, that the same committee enquire into the expediency of authorizing the Governor to make arrangement with the state of Illinois, by which this state will take exclusively upon herself the improvement of the Wabash River, on a pledge from the state of Illinois that she will pay the state of Indiana a due proportion of the expense whenever the same may be required after the expenditures have been made.

On motion of Mr. Jones,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the 1st section of an act to regulate the mode of summoning and empannelling grand and petit jurors, so as to reduce the number of petit jurors to twelve, and make it the du-

ty of the sheriffs of the respective counties to fill all vacancies by non-attendance or otherwise.

On motion of Mr. Brown,

Resolved, That the committee on the judiciary be instructed to inquire into the propriety of establishing a system of probate or chancellor's courts, and of transferring to said courts, all the powers and duties of the present probate courts; and also the equity or chancery powers, now exercised by the circuit courts.

Mr. Stapp moved the adoption of the following resolution:

Which was read, and,

On his motion,

Ordered to lie on the table, viz:

Resolved, That the committee of ways and means be instructed to report a bill increasing the salary of the supreme and circuit judges to the sum of \$1000 each per annum.

Mr. Chamberlain moved the adoption of the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the criminal law, as to authorize the board of county commissioners to make an allowance from the county treasury for the payment of cost in cases where the prosecution is not well founded; and also that said committee inquire into the expediency of allowing constables one cent mileage, additional to their present fee for travelling to serve all process; and also of increasing the fees of jurors in attendance on the circuit court.

And the question being put, on the adoption of said resolution, was decided in the negative.

On motion of Mr. Miller,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of so amending the revenue law, approved Feb. 10, 1831, as to make it the duty of any person vending wooden clocks without license, to pay a penalty of some certain amount, with leave to report by bill or otherwise.

On motion of Mr. Craig of P.,

Resolved, That the committee on roads be instructed to inquire into the expediency of so altering or changing the road law, that each supervisor in this state be authorized and required to call out the number of hands which may be allotted to him, without distinction, from time to time, until he (in his discretion) may have completed the public highways in his district, with leave to report by bill or otherwise.

On motion of Mr. Vandever,

The vote taken on the resolution proposed by Mr. Chamberlain to-day, on the subject of the payment of the fees of officers in state cases out of the county treasury, &c., was re-considered,

And, on the question being again put,

Said resolution was adopted.

On motion of Mr. Craig of Morgan,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the law regulating the duties of sheriffs, as to authorize them to leave copies of subpoena at the residence

of witnesses, in cases where the witness has absented himself with a view of returning within the term of two days, provided such service by leaving a copy as aforesaid, shall be made at least five days before the first day of the term of the court to which it is returnable.

Mr. Lee of B. moved the adoption of the following resolution;

Which was read and negatived, viz:

Resolved, That a select committee be appointed to inquire into the expediency of repealing all laws regulating the interest on money, and fixing a uniform rate of interest at 6 per cent. per annum, with leave to report by bill or otherwise.

On motion of Mr. Miller,

Resolved, That the committee on military affairs be instructed to inquire into the expediency of so amending the 64th section of the militia law, so as to make it the duty of the provost martial of their respective regiments, to collect the fines not remitted by the regimental courts of appeal, with leave to report by bill or otherwise.

On motion of Mr. Macey,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of so amending the law relative to collecting the revenue, as to make it the duty of the several collectors in each county, to attend in each township, a suitable number of times, at the several places of holding elections, and give notice of the time they will so attend, and make it the duty of the people to meet the collector for such purpose, and reduce his per centage for such collections in proportion to his diminution of trouble, and that all persons who fail to meet such officers, shall be made liable for the additional cost that would accrue on account of such delinquency, and report by bill or otherwise.

On motion of Mr. Morris,

Resolved, That the military committee be instructed to inquire into the expediency of abolishing all musters, except the April muster of each year, and that the fine for failing to attend that muster, be increased to a sum not less than \$5 on privates, and a corresponding increase on commissioned and non-commissioned officers, according to the grade; and that committee, in the event of their adopting this measure, be required to provide a safe depository for the public arms now in the hands of light companies; those not distributed, and those to be received from time to time from the General Government.

Mr. Watt moved the adoption of the following resolution:

Resolved, That the committee on elections be instructed to inquire into the expediency of confining the voters of each county to vote in their respective townships, and that they report by bill or otherwise.

To which,

Mr. Davis moved the following amendment:

Or to inquire into the expediency of opening two polls in all county seats;

Which motion was lost, and,

The question recurring on the adoption of said resolution, was decided in the affirmative.

On motion of Mr. Clark of Wayne,

Resolved, That the committee on ways and means be instructed to inquire into the expediency of providing by law for fixing the compensation in future of the members of the General Assembly at three dollars per day, and report by bill or otherwise.

On motion of Mr. Bennett,

Resolved, That the committee on canals and internal improvements, in preparing a bill for the commencement of a general system of internal improvements in Indiana, be instructed to inquire into the expediency of the state taking one half of the stock for the construction of turnpikes, running through counties not provided for by the construction of these great works, the charters of which have been heretofore granted; and also the propriety of distributing the 3 per cent. fund for the improvement of roads in those counties through which none of those great works may be designed to run.

On motion of Mr. Huckleberry,

Resolved, That the committee on ways and means be directed to inquire into the expediency of providing by law for the election of a public printer, by joint ballot of both Houses of the legislature annually, after the present year, and if deemed expedient or beneficial to the public interest, that said committee be directed to report a bill for that purpose.

And the House adjourned.

FRIDAY, Dec. 18, 1835.

The House met.

The Speaker laid before the House a report from Howard Stansbury, United States' Assistant Engineer;

Which was,

On motion of Mr. Evans,

Ordered to lie on the table and 1200 copies to be printed.

Mr. Dunning presented the report of the Indiana College at Bloomington;

Which was read, and,

On motion of Mr. Dunning,

Referred to the standing committee on education.

Mr. Stapp presented the petition of sundry citizens of Hendricks county, praying the repeal of an act relative to the jurisdiction and duties of justices of the peace in certain counties therein named;

Which was read, and,

On motion of Mr. Stapp,

Referred to the committee on the judiciary.

Mr. Eggleston presented the petition of Thomas Cole and others, citizens of Switzerland county, on the subject of lands returned to the

school commissioner, for the non-payment of taxes;

Which was read, and,

On motion of Mr. Eggleston,

Referred to the standing committee on education.

Mr. Collins presented the petition of sundry citizens of Floyd county, and,

Mr. Wilson presented the petition of sundry citizens of Harrison county, praying a turnpike road from New Albany to Vincennes;

Which were read and referred to the committee on canals and internal improvements.

Mr. Liston presented the petition of sundry citizens of St. Joseph county, praying for a rail or turnpike road from Indianapolis to Michigan City;

Which was read and referred to the committee on canals and internal improvements.

Mr. McBean presented the petition of Adrian Wyn Kroop and others, citizens of Cass, Miami, and Wabash counties, praying for the location of a certain state road therein named;

Which was read, and,

On motion,

Referred to a select committee of Messrs. McBean, Thompson of A., and Davis.

Mr. Murray presented the petition of David Riley and others, citizens of Orange county, praying an act declaring Patoka a public highway.

Which was read, and,

On motion of Mr. Murray,

Referred to the committee on canals and internal improvements.

Mr. Walker of D. presented the petition of John Vanasdal and others, praying for a review of the state road from the Rising Sun, in Dearborn county, to Cross Plains, in Ripley county;

Which was read and referred to a select committee of Messrs. Walker of D., Howard, and Smith of R.

Mr. McBean presented the remonstrance of Silas Acheson and others, citizens of Cass county, against crossing the canal over the Wabash at Ballard's bluff.

Which was read and referred to the committee on canals and internal improvements.

Mr. Storm, from the select committee, to which was referred a petition on that subject, reported

A joint resolution and memorial (No. 28) for the relief of Margaret Nations and others;

Which was twice read, (the rules of the House having been dispensed with); when

Mr. Willett moved to amend the same by striking out thereof the word "instructed;"

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Carnan, Chamberlain, Chambers, Collins, Edmonston, Edwards, Eggleston, Gregg, Hubbard, Huckleberry, Johnston, Kilgore, Lee of M. and C., Mason, Posey, Ray, Ristine, Steele, Thompson of Allen, Thompson of Lawrence, Vawter, Watt, Willett, Wilson, Zenor, and Mr. Speaker—27.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Brown, Bryan, Buell, Carr, Chiles, Clark of Wayne, Clark of Washington, Craig of M., Craig of P., Curtis, Davis, Dunning, Evans, Gardner, Graham, Hannaman, Harrow, Harris, Howard, Howell, Huntington, Jackson, Jones, Lee of Bartholomew, Liston, Macey, McBean, McCarty, Miller, Moore, Murray, Myers, Phelps, Smith, Stapp, Storm, Strain, Templeton, Thompson of Johnson, Vandever, Walker of D., Walker of Shelby, and Whitman—45.

And so said amendment was not adopted.

Mr. Evans then moved to amend the said joint resolution by adding after the words "said individuals" "and all other aged poor widows in Indiana;"

Which was not adopted.

And said joint resolution was ordered to be engrossed for a third reading on to-morrow.

Mr. Thompson of A., from the select committee, to which was referred a petition on that subject, reported

A bill (No. 29) to organize the county of Adams;

Which was read the first time and passed to a second reading on to-morrow.

On motion of Mr. Wilson,

Ordered, That the standing committee of ways and means have leave of absence from the House.

Mr. Liston, from the standing committee on elections, to which was referred the credentials of the several members, returned as elected to this House, reported

That said committee had, according to order, had that subject under their consideration and had found that the credentials of the sitting members are duly authenticated according to law, and that they are severally entitled to seats in this House.

On motion of Mr. Thompson of Lawrence,

Resolved, That the committee of ways and means be instructed to make a sufficient allowance for the witnesses who were summoned by order of this House, to testify in relation to the charges preferred against Christian C. Nave.

On motion of Mr. Vandever,

Resolved, That the committee on claims be instructed to inquire into the expediency of making an allowance to Andrew Wilson, commissioner of the French Lick reserve lands in the county of Orange, for his

services and expenses in travelling to make deposit in the Treasury of State, with leave to report by bill or otherwise.

Mr. Walker of Shelby moved the adoption of the following resolution:

Resolved, That the committee appointed for the purpose of apportioning the representation of the state, be instructed to inquire into the expediency of fixing the ratio at one thousand to each Representative and two thousand to that of Senator.

To which resolution,

Mr. Graham moved the following amendment:

"And that each organized county with six hundred voters, shall be entitled to at least one representative;"

Which resolution, together with the amendment, was ordered to lie on the table.

On motion of Mr. Moore,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of making a change in the manner of collecting the state and county revenue, so as to make it the duty of the board doing county business to give the sheriffs of the different counties the preference, with leave to report by bill or otherwise.

On motion of Mr. Smith of R.,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of so amending the 20th section of the revenue law, as to substitute a public notice, to be given by the collector in each township, by written advertisement, in lieu of making a personal demand, as required by said section; and to make it the duty of the collector to meet the people in their respective townships, a suitable number of days in the month of September in each year, by himself or sufficient deputy, for the purpose of receiving and receipting for taxes; and further to make it the duty of the collector, to keep an office in the county seat during the months of October and November in each year, for the purpose of receiving and receipting to those who may have failed to meet and pay the collector in the month of September in their respective townships; and further to inquire whether the per centage allowed to collectors in case of sale of property for taxes is reasonable and sufficient, with leave to report by bill or otherwise.

On motion of Mr. Hannaman,

Resolved, That the committee on the judiciary be instructed to inquire whether the agent of any county can legally convey the real estate of said county to himself, in the same manner as to any other individual, and if in opinion of said committee, the said agent cannot, that they report a bill amendatory to the present law on that subject.

On motion of Mr. Graham,

Resolved, That the committee on roads be requested to inquire into the expediency of so amending the 57th section of an act, entitled an act for opening and repairing public roads and highways, so that any individual may commence suit in the name of the supervisor, against any person violating the provisions of said law.

On motion of Mr. Posey,

Resolved, That the standing committee on the judiciary be instructed to inquire into the expediency of amending and revising the law regulating the proceedings in domestic and foreign attachment, and that the committee report by bill or otherwise.

Mr. Kilgore moved the adoption of the following resolution;

Which was read, and,

On motion of Mr. Huntington,

Laid on the table:

Resolved, That this House will, when it adjourns on to-morrow, (the Senate concurring), adjourn until Monday the 4th day of January next.

On motion of Mr. Morris,

Resolved, That the claim of \$8 of W. S. Unthank for services in preparing the hall of the House and Senate for the reception of the present General Assembly, be referred to the committee on claims.

Mr. McBean, from the select committee to which was referred a petition on that subject, (having obtained leave,) reported

A bill (No. 30) to organize the county of Fulton;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Macey, having obtained leave, introduced

A bill (No. 31) to legalize the sale of the west half of the public square, in the town of New Castle;

Which was read the first time and passed to a second reading on to-morrow.

Bills of the following titles were severally read a second time, and ordered to be engrossed for a third reading on to-morrow:

The bill (No. 14) to authorize Mary Branham to convey real estate;

The bill (No. 15) to authorize the sale of certain school lands in Orange county;

The bill (No. 16) to locate a state road in Dearborn county from the town of Dillsboro to Aurora in said county;

The bill (No. 17) to incorporate the Lawrenceburgh and Harrison turnpike company;

Was read a second time, and,

On motion of Mr. Ray,

Committed to the judiciary committee.

And the House adjourned.

2 o'clock, P. M.

The House met.

The Speaker laid before the House a report of the Commissioners to superintend the State House;

Which was read and referred to the committee on public buildings.

The engrossed bill (No. 3) to amend an act to incorporate the Wabash and Michigan rail road company, approved Feb. 2, 1832,

Was read a third time and passed.

Ordered, That said bill be entitled an act, and that the clerk carry the same to the Senate and ask their concurrence.

Mr. Wilson, from the committee of Ways and means, to which was referred a resolution on that subject, reported a resolution for that purpose, containing certain allowances to witnesses for their attendance before the committee appointed to investigate the charges against Mr. Nave.

Mr. Morris moved to amend said resolution by inserting therein, that said witnesses be allowed the sum of \$1 50 each per day.

Mr. Bryan, moved that the said report, resolution and proposed amendment be re-committed to said committee of ways and means, with instructions to report a resolution to this House allowing said witnesses \$1 50 each per day.

Mr. Evans moved to amend said amendment by striking out \$1 50 and insert \$1 75;

Which motion prevailed, and said report, resolution, and amendment, was re-committed to said committee.

A Message from the Senate by Mr. Morrison their Secretary:

Mr. SPEAKER—

The Senate has adopted the following resolution:

Resolved, That the House of Representatives be respectfully requested to furnish the Senate with a copy of the report made by the Commissioner appointed to superintend the expenditure of the fund appropriated to improve the navigation of the Wabash river, and that the Secretary inform the House of Representatives of the adoption of this resolution.

On motion of Mr. Huntington,

Ordered, That the Clerk of this House furnish the Senate with a copy of the report named in said message.

Mr. Liston, (having first obtained leave,) preferred certain charges against the Hon. Gustavus Everts, President Judge of the 8th Judicial Circuit of this State;

Which were read, and,

On motion of Mr. Liston,

Referred to the judiciary committee with power to send for persons and papers &c.

Engrossed bills of the following titles, viz:

A bill (No. 4) to re-locate a state road in the county of Orange, from Orleans to Geo. French's;

A bill (No. 6) authorizing Joseph D. Clarke, a minor, to sell real estate;

Were severally read a third time and passed.

Ordered, That they be entitled acts, and that the Clerk carry them to the Senate, and ask their concurrence.

An engrossed joint resolution:

(No. 12) relative to pre-emption to settlers on the public lands; was read a third time and passed.

Bills of the following titles were severally read a second time, and ordered to be engrossed for a third reading on to-morrow, viz:

A bill (No. 18) to establish as a state road the county road from Jasper via Portersville and Smith's ferry on the East fork of White river to Washington in Daviess county;

A bill (No. 19) to legalize the proceedings of the Commissioner of a state road therein named.

On motion of Mr. Evans,

The rules of the House having been dispensed with,

The resolution proposed to-day by Mr. Kilgore, relative to an adjournment of the House, was taken from the table.

Mr. Huntington moved to strike out "to-morrow" and insert in lieu thereof "Tuesday next."

Mr. Thompson of A., moved to indefinitely postpone the further consideration of said Resolution,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Brown, Bryan, Buell, Carnan, Carr, Chamberlain, Chiles, Clark of Wayne, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Edwards, Eggleston, Evans, Graham, Gregg, Harrow, Howard, Howell, Hubbard, Huckleberry, Jackson, Johnston, Jones, Lee of B., Liston, Mason, McBean, McCarty, Miller, Moore, Morris, Murray, Phelps, Ray, Ristine, Smith, of R., Stapp, Steele, Storm, Strain, Templeton, Thompson of A., Vandever, Watt, Whitman, Wilson, and Zenor—59.

And those who voted in the negative are,

Messrs. Gardner, Hannaman, Harris, Huntington, Kilgore, Lee of M. and C., Macey, Myers, Posey, Thompson of J., Thompson of L., Vawter, Walker of D., Walker of S., Willett, and Mr. Speaker—16.

And so said resolution and amendment were indefinitely postponed.

Mr. Wilson, from the committee of Ways and means, to which was re-committed a resolution and appending amendment making allowances to certain witnesses therein named, made the following report,

Which was read and concurred in, viz:

MR. SPEAKER—

The committee of ways and means, to which was re-committed a resolution, allowing certain compensation to witnesses summoned to testify in relation to charges preferred against Christian C. Nave, with directions to fix their *per diem* allowance at one dollar and seventy-five cents, have directed me to report in conformity with such instructions, the following resolution;

Resolved, That the committee of ways and means be directed to allow Jubel Lee seven dollars and twenty-five cents; Henry M. Varies

seven dollars and twenty-five cents; Elijah Anderson nine dollars and twenty-five cents; Thomas Nichols seven dollars and seventy-five cents; William McGee five dollars and forty cents; James H. Hays seven dollars and twenty-five cents; Larkin R. Campbell seven dollars and twenty-five cents; Henry H. Marvin five dollars and fifty cents; James Logan five dollars and fifty cents; Noah Hardin five dollars and fifty cents; James Dugan five dollars and fifty cents; Thomas B. Cawood nine dollars; James Sigerson five dollars and fifty cents; Simon T. Hadley nine dollars; John Cowgill nine dollars and seventy-five cents; Edward W. McGaughey fifteen dollars; Henry Secrist fifteen dollars; and John Dunn eight dollars, for mileage and attendance before the select committee to which was referred the charges preferred against Christian C. Nave.

And the question being put, shall said resolution be adopted?

Was decided in the affirmative.

And the House adjourned.

SATURDAY, Dec. 19, 1835.

The House met.

Mr. Chamberlain presented the petition of Mahlon F. Davis and others, citizens of Elkhart county, praying for a certain state road therein named;

Which was read, and,

On motion, referred to a select committee of Messrs. Chamberlain, Thompson of A., and Buell.

Mr. McBean presented the petition of Joseph Holman and others, preferring certain charges against D. Burr, canal commissioner, and J. L. Williams, principal engineer of the Wabash and Erie Canal;

Which was read, and,

On motion of Mr. M'Bean,

Referred to the select committee heretofore appointed to investigate the official conduct of the said Jesse L. Williams, principal engineer of the Wabash and Erie Canal, with power to send for persons and papers.

Mr. Thompson of A. presented remonstrances of sundry citizens residing on or near the Wabash and Erie Canal line, and

Mr. Davis presented the remonstrance of sundry other citizens residing on or near said canal line, against the petition of Joseph Holman, preferring certain charges against D. Burr, canal commissioner on the Wabash and Erie canal, and J. L. Williams, principal engineer on said canal;

Which were read and referred to the select committee to which was referred the petition of said Joseph Holman.

Mr. Eggleston presented the petition of William C. Keene and others, citizens of Switzerland county, praying the location of a certain state road therein named;

Which was read, and, on motion, referred to a select committee of Messrs. Eggleston, Smith of R., and Vawter.

Mr. Thompson of A. presented the petition of Asa Brown and others, citizens of Wabash county, praying the location of a state road from the Pottawattomie mills to Fort Wayne;

Which was read, and,

Referred to a select committee of Messrs. Chamberlain, Thompson of A., and Buell.

Mr. Miller presented the petition of Thomas Montgomery and others, citizens of Gibson county, praying for a state road from Owensville to the mouth of Patoka;

Which was read, and,

On motion of Mr. Miller,

Referred to the standing committee on roads.

Mr. Chamberlain presented the petition of James Latta and others, praying for a certain state road therein named;

Which was read, and,

On motion of Mr. Chamberlain,

Referred to a select committee.

Ordered, That Messrs. Chamberlain, Liston, and McBean be that committee.

Mr. Stapp, from the judiciary committee to which was referred a resolution on that subject, reported

A bill (No. 32) to amend an act entitled an act regulating divorces; approved Jan. 17, 1831;

Which was read the first time and passed to a second reading on Monday next.

Mr. Stapp, from the judiciary committee, made the following report:

Mr. SPEAKER—

The judiciary committee to which was referred a resolution of the House directing the judiciary committee to enquire into the expediency of so amending the execution law as to require of officers who may have to sell property on execution or other process, to sell the same on a credit equal in time to which the defendant would be entitled to stay of execution, such officers taking bond and security from the purchaser in the nature of a replevy bond;

Also, to enquire into the expediency of making a trespass on land so far transitory as to authorize a suit against the trespasser wherever he may be found in the state;

Also, to enquire into the expediency of so amending the first section of the act to regulate the mode of summoning and empannelling grand and petit jurors, as to reduce the number of petit jurors to twelve.

and to make it the duty of the sheriffs of the respective counties to fill all vacancies by non-attendance or otherwise;

Also, to enquire into the expediency of so amending the execution law, as to repeal so much thereof as exempts certain property from execution;

Also, to enquire into the expediency of so amending the laws regulating the duties of sheriffs, as to authorize them to serve copies of subpœnas at the residence of witnesses in cases where the witness has absented himself with a view of returning within the term of two days, provided such service shall be made at least five days previous to the first day of the term of the court to which it is returnable;

Also, to enquire into the expediency of so amending the criminal law, as to authorize the boards of county commissioners to make an allowance from the county treasury for the payment of costs in cases when the prosecution is not well founded;

Also, to enquire into the expediency of allowing constables one cent mileage in addition to their present fees for travelling to serve all process;

Also, to enquire into the expediency of authorizing guardians to make application for the sale of land in any county in the state to the court that appointed them, and where such sales have been made to legalize them by act of the legislature;

Also, the petition of John Ingle and others on the subject of a mill-dam on Big Pigeon creek, and the remonstrance of William Olmstead on the same subject—have according to order had those several subjects under their consideration, and have directed me to report that they deem it inexpedient to legislate upon any of said subjects;

Which report being read, was,

On motion,

Concurred in by the House.

Mr. Eggleston, from the judiciary committee, to which was referred a resolution on that subject, reported

A bill (No. 33) to amend an act, entitled an act directing the mode of suing out writs of habeas corpus, approved January 12, 1828;

Which was read the first time and passed to a second reading on Monday next.

The Speaker laid before the House a report of the Canal Commissioners;

Which was read and referred to the committee on canals and internal improvements.

Mr. Dunning, from the select committee, to whom was referred a resolution on that subject, reported

A bill (No. 34) concerning the reserved township of Seminary lands in Monroe county;

Which was read the first time and passed to a second reading on Monday.

Mr. Huntington, from the select committee, to which was referred the subject of the joint rules of the General Assembly, made the following report;

Which was read and concurred in, to-wit:

The select committee, to which was referred so much of a message of the Senate as referred to the 8th joint rule for conducting business in the two Houses of the General Assembly, report that they have amended the amendment of the Senate as follows, by inserting in lieu of the 8th rule so rescinded the following:

8th. In all cases where the sergeant at arms of one house shall by reason of official engagements or other causes be unable to execute the commands or process of the house of which he is an officer, it shall be the duty of the sergeant at arms of the other house to execute such commands, together with such process as may be directed to him by the presiding officer thereof.

Mr. Kilgore moved the adoption of the following resolution:

Resolved, That Joseph Holman have leave to attend before the select committee, to whom was referred the petition containing charges against Mr. Burr, for the purpose of examining and cross-examining witnesses; and that Mr. Burr have leave to attend before said committee for the same purpose; and also that it be the duty of said committee to report to this House the whole of the testimony.

Mr. Stapp moved to amend said resolution by striking it out from its resolving clause and insert the following:

"That the select committee, to which the several petitions and remonstrances relating to David Burr and Jesse L. Williams were referred, be instructed to examine the said several petitions and remonstrances critically, and if they are of opinion from such examination, it is unnecessary for the interest of the state to inquire further into that matter, that said committee may report this fact to the House, but if said committee shall be of opinion that the interest of the state requires such examination, then they shall have power to send for persons and papers, and shall admit all the parties concerned into the committee room under proper limitations to interrogate and cross-examine witnesses."

Mr. Morris moved to amend said amendment by adding,

"That said committee report the substance of the evidence on such examinations to this House;"

Which motion did not prevail.

Mr. Smith of R. moved to lay said resolution with appending amendments on the table;

Which motion did not prevail.

And the question then recurring on the amendment proposed by Mr. Stapp, was decided in the affirmative; and then

Said resolution as amended was adopted.

Mr. Evans moved the adoption of the following resolution:

Resolved, That in addition to the number of the reports of the Canal Commissioners and Engineers, ordered to be printed by a resolution of this House, fifty copies be ordered to be printed for the use of each Canal Commissioner and principal Engineer superintending a survey;

Which was read and adopted.

And the House adjourned.

MONDAY DEC. 14, 1835.

The House met.

Mr. Dunning presented the petition of Cornelius Tucker and others, citizens of Jackson, Monroe, and Bartholomew counties, praying the organization of a new county;

Which was read, and,

On motion, referred to a select committee of Messrs. Dunning, Lee of B., and Carr.

Mr. Stapp presented the petition of John Sheets of the town of Madison in Jefferson county, praying an act of incorporation to him and associates, in furnishing the citizens of said town with water from the Ohio river;

Which was read and referred to a select committee of Messrs. Stapp, Chambers, and Jackson.

Mr. McBean presented the petition of Alexander Wilson and others, citizens of the counties of Cass and Fulton, praying the erection of a bridge across White river in Marion county; also a bridge across Eel river in Cass county, where the Michigan road crosses said streams;

Which was read, and,

On motion, referred to a select committee of Messrs. McBean, Thompson of A., and Davis.

Mr. Strain presented the petition of S. T. Hager, praying a state road from Corydon to Livonia;

Which was read, and,

On motion of Mr. Strain,

Referred to a select committee.

Ordered, That Messrs. Strain, Wilson, and Edmonston be that committee.

Mr. Liston presented the petition of Elisha Egbert and others, citizens of St. Joseph county, praying a state road therein named;

Which was read, and,

On motion of Mr. Liston,

Referred to the standing committee on roads.

Mr. Edmonston presented the petition of Small Bass and others, on the subject of a state road from Princeton to Paoli;

Which was read, and,

On motion of Mr. Edmonston,

Referred to the standing committee on canals and internal improvements.

Mr. Liston presented the petition of Elisha Egbert and others, praying a state road from South Bend to the state line;

Which was read, and,

On motion of Mr. Liston,

Referred to the committee on roads.

On motion of Mr. Stapp,

The bill (No. 9) to incorporate the Madison Savings Institution, was taken from the table; when,

Mr. Gregg moved a re-consideration of the vote taken on the amendment proposed by Mr. Ray to the amendment reported by the judiciary committee.

Which motion was decided in the affirmative; and,
The question then being put on the adoption of said amendment,
And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bennett, Boone, Bryan, Chamberlain, Chambers, Chiles, Clark of Washington, Cole, Craig of M., Curtis, Dunning, Edwards, Edmonston, Graham, Gardner, Harrow, Howard, Howell, Huntington, Johnston, Kilgore, Lee of M. and C., Mason, McCarty, Miller, Moore, Myers, Posey, Ray, Steele, Strain, Vandever, Watt, and Wilson,—34.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Brown, Buell, Carnan, Carr, Clark of Wayne, Collins, Craig of P., Cushman, Davis, Eggleston, Evans, Gregg, Hannaman, Harris, Hubbard, Huckleberry, Jackson, Jones, Lee of B., Liston, Macey, McBean, Morris, Murray, Phelps, Ristine, Smith, Stapp, Storm, Templeton, Thompson of A., Thompson of J., Thompson of L., Vawter, Walker of D., Walker of S., Whitman, Willett, Zenor, and Mr. Speaker—42.

And so said amendment was not adopted.

And the 2d and 3d amendments of the committee to said bill, were then concurred in by the House.

On motion of Mr. Thompson,

The said bill was further amended by the unanimous consent of the House;

And said bill as amended, was ordered to be engrossed for a third reading on to-morrow.

Mr. Wilson from the committee of ways and means, made the following report, viz:

The committee of ways and means, to which was referred a resolution of the House, instructing said committee "to inquire into the expediency of authorizing the county treasurer of each county to act as the collector of the revenue, that the taxes be made payable at the county seat, and that the school commissioner be allowed to hold both offices."

Also, a resolution instructing said committee "to inquire into the expediency of so amending the several sections of the revenue act as relates to the assessment of the taxable property in the several counties in this state as to transfer the same to one assessor in each township in a county, whose duty it shall be to give due notice of his intention to meet the citizens of the township for which he may have been appoint-

ed, at a certain time and place to take a list of taxable property aforesaid; and also to make it the duty of the citizens of said township to attend at such time & place, and give in a written list of their taxable property; and also to make it the duty of the board doing county business to make said assessor a reasonable compensation for his services aforesaid."

Also, a resolution instructing said committee to inquire into the expediency of so amending the 20th section of the revenue law, as to substitute a public notice, to be given by the collector in each township, by written advertisement, in lieu of making a personal demand, as required by said section; and to make it the duty of the collector to meet the people in their respective townships, a suitable number of days in the month of September in each year, by himself or sufficient deputies, for the purpose of receiving and receipting for taxes; and further to make it the duty of the collector, to keep an office in the county seat during the months of October and November in each year, for the purpose of receiving and receipting to those who may have failed to meet and pay the collector in the month of September in their respective townships; and further to inquire whether the per centage allowed to collectors in case of sale of property for taxes is reasonable and sufficient.

Also, a resolution instructing said committee to inquire into the expediency of so amending the law relative to collecting the revenue, as to make it the duty of the several collectors in each county, to attend in each township, a suitable number of times, at the several places of holding elections, and give notice of the time they will so attend, and make it the duty of the people to meet the collector for such purpose, and reduce his per centage for such collections, in proportion to his diminution of trouble, and that all persons who fail to meet such officers shall be made liable for the additional cost that would accrue on account of such delinquency.

Also, a resolution instructing said committee to inquire into the expediency of so amending the revenue law, as to make it general, have had the same under consideration and have directed me to report, that legislation upon these subjects is inexpedient at this time, and ask to be discharged from the further consideration thereof.

Which report was concurred in by the House.

Mr. Bennett made the following report:

The committee on claims, to whom was referred a resolution of this House, directing them to inquire into the expediency of making certain allowances to Andrew Wilson, commissioner of saline lands in Orange county, have according to order, had the subject under consideration and have directed me to report the following resolution:

Resolved, That the committee of ways and means be directed to make to Andrew Wilson the following allowances, viz:

For travelling to and from Indianapolis to make deposit of saline funds together with incidental expenses, the sum of	\$26 00
To expense incurred in printing certificates	1 50

Making in the whole \$27 50

And the question being put on the adoption of said resolution, was decided in the affirmative.

Mr. Bennett made the following report:

The committee on claims, to whom was referred the claim of Samuel Wolfington for improvements made upon a certain lot of saline land in Orange county, have according to order, had that subject under their consideration and have directed me to report, that it is inexpedient to legislate upon that subject, and ask to be discharged from the further consideration thereof.

Which said report was concurred in by the House.

Mr. Liston, from the standing committee on roads to which was referred sundry petitions, reported the following bills, viz:

A bill (No. 35) to locate a road from South Bend in the direction of Bertrand;

A bill (No. 36) to locate a state road from Portage Point to the state line;

A bill (No. 37) to locate a state road from South Bend to the state line;

A bill (No. 38) to locate a state road from the north line of the state in the direction of Chicago;

Which were severally read the first time and passed to a second reading on to-morrow.

Mr. Willett, from the joint committee on public buildings, made the following report:

The committee on public building, report that by the act to provide for building a State House, approved Feb. 2, 1832, the commissioners were restricted against making any contract to pay for the work more than two thirds of the value, until the whole was complete. That the General Assembly by joint resolution authorized the Commissioners to vary the contract so far as to provide for completing the State House for the accommodation of the legislature the present session.

The commissioners, by their report to this General Assembly, state that the building is complete in all its substantial parts. The unfinished items, such as the railing to the Halls, and pavement to the porticos, it is believed, can be better done at another season than now.

By the act of 2d Feb. 1832, it was provided that a committee of five from each branch of the General Assembly should be appointed to examine and receive the building.

The appointment of the special committee for that purpose can do no evil, inasmuch as it will not be presumed that the committee will accept the work to the public injury, and it might be oppressive to the

contractor to be compelled to wait for settlement till those unimportant items are complete.

The committee therefore recommend the adoption of the following resolution:

Resolved, That _____ be appointed a committee on the part of this House to act with the committee of the Senate to examine and receive the State House.

On motion of Mr. Morris,

Ordered, That Messrs. Willett, Smith of R., Thompson of A., Gregg, and Hannaman be that committee.

Mr. Ray, from the select committee, to which was referred a petition on that subject, reported

A bill (No. 39) to vacate a part of the Indianapolis, Centreville, and Richmond state road in Wayne county;

Which was read the first time, and passed to a second reading on tomorrow.

Mr. Chamberlain, from the select committee, to which was referred a petition on that subject, reported

A bill (No. 40) to establish a certain state road therein named;

Which was read the first time and passed to a second reading on tomorrow.

On motion of Mr. Brown,

Resolved, That the committee on roads be instructed to inquire into the propriety of so altering the road law, as to compel supervisors of highways to be sworn to discharge the duties of their office, and also into the expediency of compelling such as are liable to work public roads and highways to perform their service towards or about the last of the spring, or first of the summer in each year, and that the same be not left to the discretion of the supervisors, and also that each individual so liable to work, shall perform one or two days service in his district, and that the service and labor to be subsequently performed, shall be made proportionate to the amount of property owned and advantages derived by each individual from the working and improvement of public roads and highways.

On motion of Mr. Craig of M.,

Resolved, That the committee on elections be instructed to inquire into the expediency of so amending the 20th section of an act entitled an act to regulate general elections, approved January 30, 1831, so as to allow officers of elections additional compensation in certain cases, and report by bill or otherwise.

On motion of Mr. Evans,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of providing for a survey and estimate of the cost of construction of a continuation of the Wabash and Erie Canal from Terre Haute to the White river canal at the mouth of Black Creek in Knox county, and also a survey and estimate of the cost of construction of a side cut canal from the mouth of Black creek, about twelve miles, to Vincennes, with leave to report by bill or otherwise.

On motion of Mr. Elggleston,

Resolved, That the committee on education be instructed to inquire into the expediency of providing by law that the school commissioners of each county be allowed to receive proof that the taxes marked due on the lands returned into his hands, had been paid to the collectors.

On motion of Mr. Buell,

Resolved, That the judiciary committee be instructed to inquire what amendment, if any, is necessary to the 45th section of the act regulating the jurisdiction and duties of justices of the peace, approved Feb. 10, 1835, and to report by bill or otherwise.

On motion of Mr. Morris,

Resolved, That the committee on canals and internal improvements, inquire into the expediency, (in the event of the state entering into a general system of internal improvements,) of incorporating in the bill to be reported for that purpose as a part of that system, the construction by the state, of a clay turnpike road from Indianapolis through Crawfordsville to Covington, and a clay turnpike road on the Michigan road, from Indianapolis to Michigan City, providing for the erection of toll gates on the same at proper distances.

On motion of Mr. Smith,

Resolved, That the committee on canals and internal improvements, be instructed to inquire into the expediency, (in adjusting a general system of internal improvements) of making a rail road, state improvement, from the town of Indianapolis to the town of Columbus, in Bartholomew county, a rail road, state improvement, from Indianapolis to the town of Napoleon in Ripley county, with liberal inducements held out on the part of the state to individual enterprise and private companies to construct similar works, to intersect the state works at these points, and so soon as any company or companies shall be formed with sufficient capital, and the state authorities shall have satisfactory assurance that such company or companies will construct a rail road or rail roads, from some point or points on the Ohio river, to the point or points of intersection, then the state shall be bound on her part to commence operations and carry on her part of the works simultaneously, under such rules and regulations as shall be provided by law.

On motion of Mr. Kilgore,

Resolved, That the committee on canals and internal improvements, be instructed to inquire into the expediency of authorizing the survey and location of a canal from the mouth of Nettle creek or head of the White Water canal to Muncietown, and in case a canal should prove impracticable upon examination, then to locate a rail road between said points, if practicable, with leave to report by bill or otherwise.

On motion of Mr. Thompson of A.,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the act regulating the practice in suits at law, as to allow the taking of depositions of witnesses who may reside over fifty miles from the court from which such summons may issue.

On motion of Mr. Stapp,

The resolution relative to the salaries of Circuit and Supreme Judges, was taken up from the table, and adopted.

Mr. Thompson of L. moved that the resolution heretofore laid on the table, relative to the abolishment of public executions, be taken up; And the question being taken thereon, was decided in the affirmative.

And the amendment proposed to said resolution by Mr. Huntington, was not adopted.

And the question then recurring on the adoption of said resolution, was decided in the affirmative.

Mr. Kilgore moved the adoption of the following resolution:

Resolved, That the Hon. G. A. Everts, President Judge of the 8th Judicial Circuit, be notified that charges have been preferred against him, which notice shall be in writing, signed by the Speaker of this House and served by the Sergeant at arms.

Which was read and laid on the table.

Mr. Dunning moved the adoption of the following resolution:

Resolved, That the committee of ways and means be instructed to report a bill to this House, so amending an act entitled, an act to provide for an equitable mode of levying the taxes of this state, approved February 7, 1835, as to subject the full value of the real and personal property of each individual in this state, and also any body corporate or politic to the payment of a state and county tax, and also to provide for the carrying into effect a full and complete ad valorem system of taxation.

Which,

On motion of Mr. Smith,

Was amended by striking it out from its resolving clause, and inserting in lieu thereof the following:

Resolved, That the committee of ways and means be instructed to inquire into, and report to this House, what legislation, if any, is necessary to carry into full force and operation, the law of last session entitled an act to provide for a more equitable mode of levying the state and county revenue, approved Feb. 7, 1835.

And the question then recurring on the adoption of said resolution as amended, it was decided in the affirmative.

Mr. Evans moved the adoption of the following resolution:

Resolved, That the committee of ways and means, be instructed to report a bill to this House, raising the per diem wages of the members of both branches of this Legislature to three dollars per day, and the Speaker of this House and President of the Senate to four dollars per day.

Mr. Morris moved to amend said resolution so as to make it read "that said committee inquire into the expediency &c."

And before the question was taken thereon,

The House adjourned.

2 o'clock P. M.

The House met.

The House resumed the consideration of the resolution left on the table at the adjournment; when,

On motion of Mr. Huntington,

Said resolution and appending amendment were laid on the table.

The Speaker laid before the House the following communication from his Excellency the Governor, viz:

EXECUTIVE DEPARTMENT,
Indianapolis, 21st Dec., 1835. }

SIR—

Through the Chair I announce the appointment of John Ketcham, to make communications from this department to the Legislature.

N. NOBLE.

The Hon. C. B. SMITH,

Speaker of the House of Representatives.

Mr. Jackson having obtained leave, introduced

A bill (No. 41) to amend an act, entitled an act to incorporate the Lexington steam mill company, approved Feb. 7, 1835;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Posey having obtained leave, introduced

A bill (No. 42) to authorize the service of subpoenas by copy;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Jones having obtained leave, presented

A bill (No. 43) to change the time of holding probate courts in Daviess county;

Which was read the first time and passed to a second reading on to-morrow.

A message from the Senate by Mr. Morrison their Secretary:

Mr. SPEAKER—

The Senate has passed the following engrossed bill and joint resolutions, which originated in the House of Representatives, viz:

(No. 13)—An act to extend the time of returning to the clerks of the several counties, and to the Auditor of State, assessments of property under the revenue law of 1835.

(No. 11)—A joint resolution on the subject of maps.

(No. 5)—A joint resolution relative to the payment of postage.

The latter with amendments.

The Senate has also passed an engrossed bill

(No. 5) to legalize a certain act of James Davis, school commissioner of Sullivan county, which originated in the Senate; in which bill of the Senate, and amendments to the joint resolution (No. 5) of the

House, the concurrence of the House of Representatives is requested.

The Senate has passed an engrossed bill

(No. 7) to repeal the act approved 24th Dec. 1834, authorizing a re-location of a certain part of the New Albany and Vincennes state road at or near Fredericksburgh, in Washington county; in which the concurrence of the House of Representatives is requested.

Mr. Kilgore moved to amend the amendment of the Senate of the joint resolution of the House, (No. 5) named in said message, by inserting therein after the word "written" the words "and printed," and after the word "document" the words "and newspapers;"

Which motion prevailed.

And then said amendment as amended, was concurred in.

A bill of the Senate, (No. 5) named in said message, was read the first time and passed to a second reading on to-morrow.

A bill of the Senate, (No. 7) named in said message, to repeal the act approved 24th Dec., 1834, authorizing the re-location of a certain part of the Vincennes and New Albany state road at or near Fredericksburgh, in Washington county, was read the first time and passed to a second reading on to-morrow.

Bills of the following titles, viz:

A bill (No. 14) to authorize Mary Branham to convey real estate.

A bill (No. 15) to authorize the sale of certain school lands in Orange county.

A bill (No. 16) to locate a state road in Dearborn county, from the town of Dillsboro to Aurora.

A bill (No. 18) to re-establish as a state road the county road from Jasper via Portersville and Smith's Ferry, on the east fork of White river, to Washington in Daviess county. And,

A bill (No. 19) to legalize the proceedings of the commissioner of a state road therein named;

Were severally read a third time and passed.

Ordered, That they be entitled acts, and that the Clerk carry them to the Senate and ask their concurrence.

The bill (No. 20) to amend an act, entitled an act to re-locate a certain state road in the counties of Hancock and Henry, approved 7th Feb., 1835, and for other purposes, was read a second time and ordered to be engrossed for a third reading on to-morrow.

The House then resolved itself into a committee of the whole on the

Bill (No. 21) to amend an act, entitled an act for the formation of congressional districts and for the election of Senators and Representatives in Congress, and after some time spent therein,

The Speaker resumed the chair, and

Mr. Stapp reported the same back to the House with one amendment by striking said bill out from its enacting clause.

And on the question being put,

Will the House concur in said amendment?

Was decided in the affirmative; and,

On motion of Mr. Willett.

Said bill as amended, was indefinitely postponed.

A joint resolution of the Senate,
(No. 3) of the General Assembly of the State of Indiana, to the Congress of the United States, praying further appropriations on the National Road within the limits of Indiana, was read a second time;

When,

Mr. Morris moved to lay said joint resolution on to table;
Which motion was decided in the negative.

Mr. Kilgore then moved to amend the same, so as to read, "that our Senators and Representatives in Congress be requested," &c.

Which motion did not prevail.

Whereupon,

Said resolution was ordered to be engrossed for a third reading on to-morrow.

And the House adjourned.

TUESDAY, DEC. 22, 1835.

The House met.

The Speaker laid before the House a communication from the state board of the State Agricultural Society;

Which was read, and,

Referred to the committee of ways and means.

Mr. Dunning presented the petition of Alexander Blair and others, praying the organization of a new county;

Which was read, and,

On motion of Mr. Dunning,

Referred to the select committee to which was heretofore referred a petition on the same subject.

On motion of Mr. Dunning,

Messrs. Craig of M., Thompson of J., and Vawter were added to that select committee.

A message from his Excellency the Governor, by Mr. Ketcham his private secretary:

Mr. SPEAKER—

I am directed by his excellency the Governor to inform the House of Representatives that, on the 17th inst., he approved an act entitled

No. 2—An act to provide for empannelling grand and petit jurors in the county of Orange;

Which has been filed in the Secretary's Office.

Mr. Thompson of A. presented the remonstrance of James M. Miller and others, against the petition of Joseph Holman preferring certain

charges against David Burr, canal commissioner on the Wabash and Erie Canal;

Which was read, and,

On motion of Mr. Thompson of A.,

Referred to the select committee appointed to investigate said charges.

Mr. Miller presented the petition of Thomas Pride and others, praying a state road from New-Albany to the mouth of White river;

Which was read, and,

On motion of Mr. Miller,

Referred to the standing committee on canals and internal improvements.

Mr. Chamberlain presented the remonstrance of Hiram L. Johnston and others, against the petition praying a state road from Goshen to the state line;

Which was read, and,

On motion of Mr. Chamberlain,

Laid on the table.

Mr. Ristine presented the petition of John Crawford and others, praying that the name of the town of Somerset, in Montgomery county, might be changed and called Parkersburgh;

Which was read, and,

On motion of Mr. Ristine,

Referred to the same select committee to which was heretofore referred a petition on the same subject, and,

On motion of Mr. Ristine,

Messrs. Harrow and Chiles were added to that select committee.

Mr. Edmonston presented the memorial of the convention of Jasper in Dubois county, on the subject of a state road from New Albany to the mouth of White river;

Which was read, and,

On motion of Mr. Edmonston,

Referred to the standing committee on canals and internal improvements.

Mr. Edmonston presented the petition of Daniel Harris, praying an act to legalize the banns of matrimony between him and his wife Judith Harris;

Which was read, and,

On motion of Mr. Edmonston,

Referred to a select committee of Messrs. Edmonston, Craig of P., Miller and Evans.

Mr. Chiles, from the select committee appointed to investigate certain charges against Christian C. Nave, a member of this House, made the following report:

The select committee to whom was referred the petition of W. M. C. Blake, preferring charges against Christian C. Nave, a member of this House, have had the same under their consideration, and have directed me to report—that in the whole progress of the investigation,

involving as do the charges preferred, not only a weighty responsibility upon the committee, but the reputation and character of a member of this body, they have been governed by that lenity of feeling towards the accused, which so wisely distinguishes the spirit of our institutions. They have found the task irksome and unpleasant, but, however much they may have regretted the necessity that demanded the investigation at their hands, they have endeavored to discharge the duty with an eye special as well to the solemnity of their obligations, as the necessity of impartial judgment. They have permitted the accused to appear before them by counsel of his own selection, not only to cross examine the witnesses offered in support of the charges contained in the petition, but to place before the committee the prominent points of defence upon which he would rely.

Several questions have been presented to the committee, in the course of the investigation, which, with their own views, they do not think, consistent with their duty, they can withhold from the House.

1st. Has the House jurisdiction to inquire into the charges?

2d. If the House has jurisdiction, has it also the power to expel?

Both of these propositions have been examined; with much labor, by the committee, and no doubt remains upon the minds of the committee, of the entire power of the House, to investigate any charge of a criminal character, preferred against one of its members. The committee are aware that the opposite of this doctrine has been entertained and urged with much earnestness, and that the jurisdiction of the House is questioned, in all cases which do not involve charges of an entirely *political* character. But the committee cannot perceive the force of the argument by which this position is maintained. It cannot be denied that the House would owe to its character, to institute an inquiry into the charges impeaching its integrity as a body, and if this be admitted, an investigation into the character of one of its component parts, is the irresistible inference. Does an inquiry of this kind, in the event of guilt upon the part of the accused, amount to a legal punishment for crime? The Legislature has affixed to each crime its appropriate punishment, and, by the constitution, no individual can be brought to answer for an offence against the penal code, but by "presentment or indictment," after which he shall have the right of trial by jury. The investigation and punishment prescribed by our criminal code, doubtless, properly belongs to the judicial tribunals of the country. These positions settled, the only question for the committee to determine is, whether the House, in an investigation of the conduct of one of its members, by which to inquire into his right to retain his membership, is guilty of an infringement upon the privileges guaranteed to the citizen, or an assumption of power properly belonging to the judiciary. The committee cannot perceive the force of an affirmative answer to this inquiry. An expulsion for crime is no part of the punishment affixed by law, for the violation of any of its criminal provisions. The rights of each member of a legislative body are of a *political* character, and a deprivation of those rights, can-

not be construed into an infraction of the rights and privileges of the citizen.

For the correctness of the position which they have taken, the committee refer the House to the opinion of the Senate of the United States. In the case of Humphrey Marshall, a Senator from Kentucky, in 1796, it would appear, upon a cursory examination, that the opinion of the Senate turned solely upon the ground of jurisdiction. This, however, the committee do not conceive to be the fact. The vote was taken upon concurrence in the report of the committee, appointed to investigate the charges against Mr. Marshall, and, it is true, the want of jurisdiction is strongly urged in the report, yet other grounds were stated, "as that no prosecutor appeared, and that no documents or evidence were furnished." Here, the case of Mr. Marshall, and the one referred to the committee lose their affinity, and in several other instances are not very closely assimilated. The charge of perjury against Mr. Marshall, appears to have been made, in a pamphlet publication, previous to his election, which, no doubt, operated strongly upon the minds of Senators in determining upon the want of jurisdiction.

This opinion, however, of the Senate, was subsequently reviewed, in 1807, in the case of John Smith, a Senator from Ohio. In this latter case, it appears that the subject of jurisdiction again underwent a discussion which resulted in a determination, that the principles advanced in the case of Marshall, were inaccurate. And as additional evidence that the want of jurisdiction, was not the only ground of decision in Marshall's case, the committee refer the House to the vote of the Senate, in the year 1797, expelling William Blount for a "high misdemeanor, entirely inconsistent with his public trust and duty as a Senator." In this case, *eleven* out of the sixteen Senators, who, the preceding year, had sustained the report in the case of Marshall, voted in favor of expelling Mr. Blount—the remaining *five* were not then members.

Mr. Smith was charged with treason, which then was, and still is, a crime of the highest magnitude, and the investigation of which properly belongs to the judiciary department of our government; yet the Senate did not hesitate to investigate the charge—to hear proof—and finally to expel him from that body.

The advocates of an opposite doctrine, from that advanced by the committee, contend, that when a member is charged with perjury, or any other high crime, he cannot be put to answer in any other way than that prescribed by the constitution; but, why would not the same reasoning have applied in the case of Smith? The language of the constitution of the United States, on the subject of the right of trial by jury, is the same as that of the constitution of Indiana, and the power given to Congress, to expel a member, by each of those instruments is *precisely* the same. From these facts, the committee have inferred that the rules of decision in the case of Smith, apply with full force in the case submitted to them.

It has been said that, if the House has the power to expel a mem-

ber for the crime of perjury, this power cannot be exercised until after a conviction by jury, as prescribed in the constitution. This position the committee think entirely untenable, as a conviction would, of itself, put the matter entirely beyond the control or action of the House, in any manner whatever.

It has been urged before the committee that the charges and specifications, contained in the petition, are informal and insufficient; that the petition assumes the character of an indictment, and should be drawn with equal technicality. The committee are aware that the petition is certainly not drawn in as technical manner as it might have been, yet, in the opinion of the committee, it is sufficient in form, and contains substantially all that is necessary in cases of a character similar to the present. The same formality and technical accuracy is, certainly not required in such an information as to authorize an investigation into the conduct of a member of the House, as would be essentially requisite to constitute an indictment. Nor, indeed, do the committee conceive that the same degree of evidence requisite to warrant a jury in finding a defendant guilty of perjury, is necessary to authorize the House in exercising the expelling power, vested in it by the constitution. The power of expelling is only discretionary, and governed by no technical restrictions, and consequently may be exercised without conforming to all those legal rules required to be observed in a court of justice.

But should this opinion be yielded, and it should be admitted that the same proof was necessary as in an indictment for perjury, the committee are unanimously of opinion, that, in this case, the testimony is amply sufficient. Perjury may be committed, either by positively swearing false, or by concealing a fact, important to an issue, when sworn to tell the *whole truth*. What then, is the evidence? The committee to enable the House to act advisedly upon a matter involving so many important and responsible considerations, have thought it their duty to report the whole of it to the House, for its action and disposal.—Here-with it will be found submitted.

As the filing of the note, in the office of Esq. Cowgill, as a cause of action, becomes a fact material in the inquiry submitted to the committee, they will also lay before the House the principle upon which they have acted in relation thereto. Had it been necessary in order to constitute a legal filing of a cause of action, that the Justice of the Peace should endorse on it the word "filed," the testimony of Mr. Nave would have been utterly useless. But the committee not believing such an endorsement necessary, and regarding the endorsement, when it is made, as only *evidence* of the filing, are of opinion that, where the endorsement has not been made, the fact of its being filed is capable of proof by parol testimony. Under this view of the case, they have inquired—"was the note filed in the office of Esq. Cowgill as a cause of action? Of this fact the committee have no doubt.—From the circumstance of the suppression of that fact by Mr. Nave, his attempt to mislead the jury by his evidence, and all the circumstances connected with this trial before Cowgill and that before Hardin, the committee

are constrained to report to the House for their adoption, the following resolution:

Resolved, That Christian C. Nave, a Representative from the county of Hendricks, be expelled from his seat upon this floor, as a member of the House of Representatives of the State of Indiana.

The committee therefore, lay before the House the following testimony, as deposed by the witnesses, viz:

John Cowgill, an acting justice of the peace in and for the county of Putnam, testified, that the note marked A (and herewith filed) is the same note that was enclosed to him in a letter from Mr. Nave from the fifth to the tenth of October last, for collection;—that on the 10th of October he issued a *capias* against William M. C. Blake and J. H. Epperson, the obligors in the note, which was returned with the bodies of both the defendants;—that the defendants were not prepared for trial at that time and gave special bail to answer the action in two days;—that at the trial of the cause the defendants plead *non est factum*, and the plaintiffs not being present and offering no testimony, the cause was dismissed and a non suit entered against the plaintiffs;—that he informed Mr. Nave of these facts at the Danville Court;—that Mr. Nave, on the 6th of November, came to his office, in the town of Greencastle, and took the note and plea of *non est factum*, went over to Mr. Blake's, returned in a few minutes, and demanded a summons on the note, against the said Blake and Epperson;—that he immediately issued the summons, placed the note on file among his papers and delivered the summons to a constable, who, in a few minutes, returned it, executed on Blake, and Epperson not found, at which return Mr. Nave was present;—that Nave requested him to write him a notice to Blake, informing him that he (Nave) should proceed to take depositions, in Danville, in Hendricks county, to be read as evidence in the said cause;—that he wrote the notice, and gave the original and duplicate to a constable, who in a few moments returned the original, served;—that upon the return of the notice Mr. Nave asked for the note to assist him in taking the depositions.—That he remarked to Mr. Nave that if it was not on file in his office three days before the trial, he should be compelled, under the statute, to dismiss the action upon motion of the defendants;—that he thinks he mentioned to Mr. Nave that he (Nave) could give a succinct statement of his cause of action, in writing and take the note and use it as evidence on the trial;—that Nave requested him to draw the statement, which he did, (and which is now herewith submitted marked B,) and after the filing of the same gave him (Nave) the note, who took it away with him. He further stated, that on the the calling of the cause, on the 13th November (the day on which the summons was returnable) neither party appeared and he continued it to the 19th Nov. on which day he dismissed it, in pursuance of a letter from Mr. Nave of date Nov. 14, and now herewith submitted, marked C.

Upon cross examination by Mr. Nave's counsel, he further stated that the plea herewith filed (marked D) was a correct copy of the plea of *non est factum* filed by the said Blake and Epperson at the trial of

the first cause, on said note, before him, and that the original was then on file in his office;—that he never endorsed the note as filed in his office.

(Mr. Nave here admitted that he had instituted a suit upon the same note against Blake, before Esq. Campbell of Hendricks county and that a change of venue was taken from him to Noah Harding a justice of the peace of said county.)

Noah Harding Esq., a justice as aforesaid, testified that the transcript herewith submitted (marked 1) is a true transcript from his docket,—that the papers in the case, originally commenced before Esq. Campbell, came into his possession by change of venue, on the 11th day of November, 1835;—that on the same day Christian C. Nave appeared as counsel for the plaintiff, and one of the defendants, (Blake) in his proper person;—that the defendant [Blake] asked for time to make up his defence, which was granted him, and that Blake entered into a recognizance to appear on the 14th Nov. 1835;—that on the said 14th Nov. Mr. Nave appeared as counsel for the plaintiff and the defendant by himself and his attorney, Henry Secrets;—that the defendant filed a plea in abatement, [which is herewith submitted and marked E] to which Mr. Nave, as counsel for the plaintiff, filed the replication [marked F];—that to try this issue a jury was called, and Mr. Secrets offered the statement [marked B] and the note [marked A] as evidence to the jury, to which Mr. Nave objected—Mr. Secrets then introduced Mr. Nave as a witness to prove the identity of the note;—that Mr. Secrets asked Mr. Nave after he was sworn as a witness, whether the statement [marked B] described and identified the note, and that Mr. Nave replied that “he did not know, that it might describe the note or some other note, he did not write it;” that Mr. Secrets asked Mr. Nave if the same note had not been filed in Esq. Cowgill’s office, as a cause of action, and a summons issued and suit commenced on it between the same parties, and that Mr. Nave replied “that the note had not been filed in Esq. Cowgill’s office as a cause of action; that he had had it in his pocket ever since the commencement of the suit before Esq. Cowgill; and that his object was to trick Mr. Blake to bring him to Hendricks county, where he could have a chance of making the money out of him and obtaining witnesses;” that Mr. Secrets asked Mr. Nave if the note marked [A] was not the identical note that had been filed in Esq. Cowgill’s office, and that Mr. Nave replied “that he did not know but what there might have been some other note that that suit was instituted upon.”

Upon cross examination, the witness was asked whether Mr. Nave did not say, when asked whether the statement marked [B] described the note—that he presumed it did—to which the witness replied that he did not to the best of his recollection. He also said that there had been difficulties between him and Mr. Nave; that they had differed in politics, but was not aware of any difficulty originating privately between them; that he looked upon Mr. Nave as upon any other man that he did not believe was an honest man, but that his feelings were not of such a character that he could not do him justice.

The witness was further asked by Mr. Blake, whether Mr. Nave did not say that he had the note in his pocket before the summons was issued by Esq. Cowgill—to which he answered that he did not recollect of a question being asked in that shape.

Henry Secrets testified, that sometime previous to the 1st November, 1835, he was called on by Wm. M. C. Blake and J. H. Epperson to defend an action of debt on the note marked (A,) before Esq. Cowgill, of Greencastle, Putnam county; that he filed for the defendant a plea of non est factum, and in consequence of no proof having been offered by the plaintiff at the trial thereof, a judgment, as he supposed, for the defendants was entered; that subsequent to that time, (probably on 6th November,) Mr. Nave was in Greencastle, and that he (Secrets) found him in the office of Esq. Cowgill, commencing a suit on the same note marked (A); that he left the office, after which Mr. Blake showed him a notice which had been served on him, to take depositions in Danville, Hendricks county; that he returned to the office of Esq. Cowgill, to ascertain if the description of the parties in the notice corresponded with the writ, and found that it did, the suit being in the name of Thomas Nichols, assignee of John Dunn; That while he was in the office, he was asked (he thinks by Esq. Cowgill) if he would consent to the withdrawal of the note marked (A), to assist Mr. Nave in taking depositions in Danville; that Mr. Nave was in the office of Esq. Cowgill at the time; that he made no reply to the inquiry about the note; that after that time, on the day on which the cause was set for trial before Esq. Cowgill, he was in the office of Esq. Cowgill, but withdrew before the trial, in order to obtain a continuation.

He further said that he was the counsel of William M. C. Blake, in the trial before Noah Harding, Esq., in Danville, on the 14th November, 1835, (which suit was also in the name of Thomas Nichols, assignee of John Dunn); that he then filed, for the said defendant, a plea in abatement (marked E); that after producing the transcript from Esq. Cowgill's docket as evidence, he introduced Mr. Nave as a witness, for the purpose of indentifying the two suits as being upon the same cause of action; that Mr. Nave commenced his testimony, by stating, "that the note marked (A) had once been sued on before Esq. Cowgill, and that a plea of non est factum had been pleaded, and a new suit entered; that he then went to Greencastle and commenced suit upon a feigned cause of action before Esq. Cowgill for the purpose of entrapping Mr. Blake to Danville, where he (Nave) could get his witnesses;" that Nave then said "that the suit then pending before Esq. Hardin, and the one before Esq. Cowgill were not upon one and the same, but upon different causes of action;" that Nave then said "that the note (marked A) was not at any time in the possession of Esq. Cowgill, as a cause of action in the cause alluded to in the defendant's plea of abatement (marked E); that previous to demanding a summons in said case, he had put the note (marked A) in his pocket, so as to prevent a defence of the kind then relied on by the defendant;" that he (Secrets) then introduced the cause of action (marked B), and Mr. Nave said that "he did not know whether it was the same one filed before

Cowgill or not;" that Mr. Nave, turning to the jury, then said, "Gentlemen, this note was not a cause of action before Esq. Cowgill;" in which expression he (Secrets) supposed him to allude to the suit then pending before Esq. Cowgill; that after the summons, Mr. E. W. McGaughy came to him and asked him whether the interlineation in the note marked (A) was the cause upon which he pleaded non est factum, and that he (Secrets) told him that it was.

Upon cross examination, Mr. Secrets further said, that when he asked Mr. Nave if that was not the identical note described in the concise statement marked (B); that he recollects that Nave said "he did not know," and something further which he does not recollect; upon being asked by the counsel of Mr. Nave "did you ask Mr. Nave, whether the note marked (A) was not the identical note upon which suit was brought before Esq. Cowgill?" Mr. Secrets answered that he did not recollect of asking a question in that shape. Upon being asked whether Mr. Nave did not say that the "note had not been marked filed by any justice before it was marked filed by Esq. Campbell," Mr. Secrets answered that he did not recollect of Mr. Nave's saying any thing about the *filing* of the note in his testimony, but that he spoke of it in his argument to the jury.

Edward W. McGaughy, testified that he knew nothing of the first suit upon the note marked (A); that he was in the office of Esq. Cowgill on the 6th of November, 1835, after the commencement of the second suit, and that Mr. Nave was present in the office of Esq. Cowgill at the time; that he (McGaughy) asked to see the note (A) which was handed to him by Esq. Cowgill; that he heard Mr. Secrets say, as he left the office (or previously, he is not certain which,) that he would again plead a plea of non est factum, to which Mr. Nave replied, that "it would be an unholy and unrighteous law, that would prevent a man from recovering his debt because of a little interlineation"—that he heard nothing about withdrawing the note from file.

James Logan testified that he was present at the trial before Esq. Hardin, when Mr. Nave was called on to testify: that there was a difference in the testimony on each note; that Mr. Nave was called on to state whether the action then trying was not founded on the same note, on which one then pending before Esq. Cowgill, in Greencastle, Putnam county, was founded; that Mr. Nave answered that "it might be, or it might not be;" that he was not certain whether Mr. Nave said that the note marked (A) had not been filed with Esq. Cowgill, or that it had not been marked filed by him; that he (Logan) was one of the jury who tried the cause before Esq. Hardin, and understood Mr. Nave to say that the suit before Esq. Cowgill was instituted to get Blake to attend to take depositions where the note was executed, that he might catch him there.

Upon cross examination, the witness (Logan) was asked whether Mr. Nave was not asked, upon the trial, if the note (A) had not been filed as a cause of action, before the said Esq. Cowgill, to which he answered, that he might, or he might not have been so asked.

He (Logan) was also asked, "if Secrets did not take the note (A) in

one hand and the cause of action marked (B) in the other, and ask Nave if this was not the indential note described in the cause of action (A)," to which he answered "it might or might not be."

Henry H. Marvin testified that he was present at the trial of the cause before Esq. Hardin; that Mr. Nave was sworn as a witness, and was asked whether the statement marked (B) of the cause of an action then pending before Esq. Cowgill did not identify the note on which the action, then pending before Esq. Hardin was pending—to which Mr. Nave answered that "he could not tell—he did not write it;" that the question was then asked Mr. Nave whether the note then exhibited marked (A) had ever been on file in Esq. Cowgill's office—that he (Marvin) understood him (Nave) to say in answer, that it had not—does not recollect the precise words used, but gathered this from his language; that Esq. Hardin stated that the note had not been marked filed by Esq. Cowgill, in which Mr. Nave acquiesced.

Upon cross examination, the witness was asked "if Secrets, having the statement of cause of action (B) in one hand and the note in the other, did not ask Nave if that was not the indential note described in the cause of action (B)"—to which the witness (Marvin) answered, that "he could not state whether he held the note in his hand, but Mr. Secrets held the statement (B) in his hand, and asked if it did not describe the note [A]," to which Mr. Nave replied, that "he did not know, as he did not write it." Witness [when asked] thinks it likely that Nave also answered that "he presumed the statement [B] did describe the note [A], on which the suit then pending was founded, but could not say positively.

Here for the time, closed the evidence in behalf of the prosecution.

Mr. Nave then introduced the following testimony, viz:

Thomas B. Carwood testified that he was one of the jurors at the trial before Esq. Hardin, that Mr. Nave, when examined as a witness, said that he held a note on Blake that became due on or about the 1st of October; that about that time he saw Blake and asked him to pay it, and threatened to issue a capias against him; that Blake requested him not to do so, but send it to Greencastle, and he would confess judgment on it; that he [Nave] sent it to Esq. Cowgill, at Greencastle, for collection; that Cowgill informed him [Nave] at Hendricks court, that a plea of non est factum had been filed by the defendants and a non suit entered; that he [Nave] sometime after that went to Greencastle, and to Esq. Cowgill's office got out the note [A] and plea of non est factum and presented it to Blake, who said it was unjust; that he [Nave] returned to the office, and ordered a summons on the note [A]; that the summons was issued accordingly, and given to the constable, who, in a few minutes returned it served—that he [Nave] then ordered a cause of action to be filed upon the note [A], but at the same time retained the note in his possession, informing Cowgill that he wished to retain the note in his possession for the purpose of taking it into Hendricks county, in order to take the depositions of Elijah Anderson and others—though at the same time, in case Mr. Blake should come over into Hendricks to take depositions, he [Nave] intended to set a trap to

catch the buck, so that he might try him in Hendricks county, where he could procure witnesses, so that he could not swear it off again, though he [Nave] did not, at that time, apply to the magistrate of the course he intended to pursue upon the note; that, at that time, Mr. Secrets picked up the cause of action [B], and addressing himself to the jury, with the note [A] in his right hand and the statement [B] in his left, read the statement [B] describing the note, after which he [Secrets] asked Nave if that was not the identical note described in the statement [B] to which Mr. Nave replied, that "he could not be positive;" that "it was not his hand-writing, but he presumed it was;" that Secrets then took the note [A] in his hand, and asked Nave if that was not the identical note filed in the office of Esq. Cowgill; that Nave picked up the note and remarked, "this note has never been marked filed in any office previous to the time of its having been filed in Esq. Campbell's office."

James H. Hays testified, that he was one of the jurors in the trial before Esq. Hardin—that Nave was introduced as a witness in said case by the defendant [Blake] and while giving his evidence, as such witness, Secrets [exhibiting the note A] asked him if that was not the identical note that was described in the statement [B], that Nave answered that "he could not say positively, as the statement [B] was not in his hand writing, but that "he presumed it was."—That Secrets then handed the note [A] to Nave, and asked him [Nave] if that was not the same note that had been filed in the office of Esq. Cowgill; that Nave answered after taking the note [A] in his hand and inspecting it, "this note has never been marked filed by any person previous to the time it was marked filed by Esq. Campbell."

The witness [Hays] further stated that he heard all Nave's testimony in said case, and that the above is all his evidence on the two aforesaid points.

Thomas Nichols testified, that he was present at the trial of the cause [Thomas Nichols assignee of John Dunn against Wm. M. C. Blake and J. H. Epperson] before Esq. Hardin, and that C. C. Nave was introduced as a witness by the defendant Blake, and after he [Nave] was sworn, Secrets asked him a question which he [Nichols] does not now recollect—that he [Nave] told the jury that a few days after the note [A] became due, Blake came to Danville on a visit, and he [Nave] told him he intended to have him [Blake] taken with a forthwith; but that Blake requested that he should send the note [A] to Esq. Cowgill, and that he would see Epperson and they would confess judgment on the note, and that they had friends there who would stay it for them. Mr. Nave then stated that Mr. Blake informed him that Capt. Baily was going over to Greencastle in a few days and it would be a good opportunity to send the note over—that he [Nave] enclosed the note [A] in a letter to Cowgill, and that he heard nothing more of it until Cowgill informed him that they [the defendants] had sworn it off—that as soon as the courts were over, he went over to Greencastle and went to the office of Esq. Cowgill and got the note [A] and plea of non est factum [D] and went over to Blake's shop and spoke to him con-

cerning the note—that he [Blake] observed that the note was unjust and he would not pay it—that he [Nave] immediately returned to the office of Esq. Cowgill, and ordered a summons to issue on the note [A] and that a summons issued accordingly, which was in a few minutes, returned by a constable, served on Blake, and Epperson not found; that he [Nave] requested Esq. Cowgill to issue a notice to be served on Blake, that he wished to take the deposition of Elijah Anderson and others; which notice was issued to a constable and was returned by him, in a few minutes, served by copy on Blake; that Nave then stated that he requested Esq. Cowgill to draft a formal declaration and file as a cause of action, that he wished to take the note [A] to Hendricks to take the depositions—that Nave told the jury that “his intention was, if the gentleman came over to cross-examine the witnesses, to catch the buck, so that he could procure evidence to prevent him from swearing the note off, and if he [Blake] did not come he designed trying the cause in Greencastle,” but that he did not inform the justice of his intention.”—That Mr. Secrets then put this question to Mr. Nave, taking the note [A] in one hand and the statement [B] in the other: “Mr. Nave, is not this the same note that is here described in this declaration?” to which Mr. Nave answered, that “he could not state positively, that the declaration was not in his hand-writing, but he presumed it was.”—That Mr. Secrets then asked Mr. Nave if the note [A] was not the same note that was filed in the office of Esq. Cowgill—that Mr. Nave then took up the note, and observed that “this note has never been marked filed in the office of any justice, previous to its being marked filed in the office of Esq. Campbell—and that the above is all that Mr. Nave testified to, to the best of his recollection.

Elijah Anderson testified that he was subpoenaed in the case before Esq. Hardin (alluded to by the other witnesses) as a witness for the plaintiff; that just as he stepped in the court house where said trial was pending, Mr. Secrets took up the cause of action [B] in one hand, and the note [A] in the other, and asked Nave if that was not the note described in the same cause of action—that Nave, in reply, answered, that “he did not know positively, as the cause of action [B] was not in his hand-writing, but he presumed it was, or might be.” That Secrets then asked Nave if the note [A] which he [Secrets] then held in his hand, was not the note which was filed in the office of Esq. Cowgill, and that Nave answered that “the note had not been marked filed thereon previous to the time it had been marked filed by Esq. Campbell,” or words to that effect—that he [Anderson] did not hear all of Nave’s testimony.

William M’Gee testified that he was present at the trial before Esq. Hardin in the aforesaid case of Thomas Nichols, assignee of John Dunn, against William M. C. Blake and J. H. Epperson—that on the trial of said cause, Mr. Nave was introduced as a witness in behalf of said defendants—that Mr. Secrets, holding the statement [B] in one hand and the note [A] in the other, asked Nave if the note [A] had not been filed in the office of Esq. Cowgill; to which Mr. Nave answered that the said note [A] had not been marked filed previous to the time

it had been marked filed in the office of Esq. Campbell, that Nave was further asked by Secrets, if that note [A] was not the same note described in the cause of action [B]?—to which Mr. Nave answered that “he could not say, as he did not write the cause of action [B], but that he presumed it was”—that said witness was present and heard all of said Nave’s evidence, and that the foregoing is all, to the best of his recollection, as to the aforesaid facts.

Jubel Lee testified that he was a juror on the trial of the aforesaid cause before Esq. Hardin, and that during the progress of said trial, Mr. Nave was sworn as a witness in behalf of W. M. C. Blake, one of the defendants aforesaid, and as well as he now recollects, Mr. Secrets asked Mr. Nave a question, which he has forgotten, but to which Mr. Nave observed that he would proceed and relate the whole matter to the jury as well as he recollected it, and stated, that a short time after the note [A] became due, Blake came to Danville, and that he [Nave] informed him that the note was due, and that he [Nave] intended to take him [Blake] with a *capias*—that Blake requested the note [A] to be sent to Greencastle, when he would confess judgment and stay it—that he [Nave] enclosed the note [A] to Esq. Cowgill of Greencastle, Putnam county—that he [Nave] heard no more of it until informed at Danville, by Esq. Cowgill, that Blake and Epperson had sworn it off—that he [Nave] went to Greencastle, went to Esq. Cowgill’s office and got the plea of *non est factum* [D] and the note [A] and went over to see Blake, who denied the justness of the claim—that he [Nave] then said he returned to Cowgill’s office and ordered him to issue a summons upon the note, [A] which summons was issued and, in a few minutes, returned served on Blake—that Mr. Nave further stated, that he ordered the justice [Cowgill] to issue a notice to take depositions; which was issued and returned, in a few minutes, served on Blake by copy—that he [Nave] then directed the justice [Cowgill] to write a formal declaration on the note [A], which was done, [see B], and filed by him as a cause of action—that he [Nave] got the note [A] to take the depositions of Elijah Auderson and others, in Hendricks county—that his [Nave’s] intention was, if Blake came to Danville to take depositions, to reach the buck in Hendricks, where the witnesses resided, to prevent him from swearing off the note again, but that he [Nave] did not apprise the justice [Cowgill] of his intention—that Mr. Secrets asked Nave this question, (holding the note [A] in one hand and the statement [B] in the other:) “Is not this the identical note described in this cause of action?”—to which Mr. Nave answered. that “he would not be positive, because the cause of action [B] was not in his handwriting, but that he presumed it was the same”—that Secrets then asked Mr. Nave if the note [A] was filed in the office of Esq. Cowgill—that Mr. Nave then took up the note [A] and said that “the note had not been marked filed in any office previous to its being marked filed thereon in the office of Esq. Campbell.”

The witness [Lee] further said, that he was a juror in said case, and heard all the testimony of Mr. Nave.

Larkin R. Campbell testified, that he heard Esq. Hardin say, in

conversation with himself, [Campbell] Isaac Hays, and probably others, that he [Hardin] had taken a certain certificate from the aforesaid Isaac Hays against Mr. Nave, to use together with other matters, in a petition to the judges of the Hendricks Circuit Court, to disbar Mr. Nave: he [Campbell] also heard Esq. Hardin say, probably more than once, that he considered Mr. Nave void of every principle of a gentleman; that he [Esq. Hardin] and Mr. Nave, could not agree, and probably never would—that so far as he [Campbell] knew, Mr. Nave was regarded as a punctual and honest man; that it is said that he [Nave] will take little advantages as a lawyer to fool his opponents—that he [Campbell] has known Nave well for about five years—intimately for about four.

John Cowgill, being called back by the committee, testified, that Mr. Nave was present when he wrote the statement [B]—that he read it in Mr. Nave's presence—that Nave sat a few feet from him at the time, but that he does not think that Nave read it himself.

Which was read; when,

Mr. Willett moved to refer said report to a committee of the whole, and that it be made the special order of the day for Monday next.

And before the question was taken thereon,

Mr. Evans moved to lay it on the table;

Which motion was decided in the affirmative.

Mr. Stapp moved that 100 copies of said evidence be printed.

Mr. Evans moved to amend said motion by inserting after the word "evidence" "and report;"

And the question being taken thereon, was decided in the affirmative.

And said motion as amended, was carried in the affirmative.

On motion of Mr. Stapp,

Leave of absence was granted to Mr. Huntington and Lee of B. until Monday next.

Mr. Chamberlain, from the select committee, to which was referred a petition on that subject, reported

A bill (No. 44) to establish a certain state road therein named;

Which was read the first time and passed to a second reading on to-morrow.

On motion of Mr. Evans,

The resolution of Mr. Evans, relative to raising the fees of the members of the General Assembly, was taken from the table; when,

Mr. Evans withdrew the same.

On motion of Mr. Walker of S.,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of providing for a survey, and construction of a rail road from the town Indianapolis to Michigan City, by the way Logansport and Laporte.

On motion of Mr. Jones,

Resolved, That the committee on elections be instructed to inquire into the expediency of abolishing the election of supervisors of roads, overseers of the poor, and fence viewers, and authorizing the board do-

ing county business to appoint said officers, with instructions to report by bill or otherwise.

Mr. Davis moved the adoption of the following resolution:

Resolved, That the committee on canals and internal improvements be instructed to report a bill to this House, providing for the commencement of a general system of internal improvement with the following provisions:

1st. It shall be necessary for stockholders to take and secure to the state one-fourth of the amount supposed to be necessary for the completion of all canals reported in said bill.

2d. It shall be necessary for stockholders to take and secure to the state one-third of the amount supposed to be necessary for the completion of all rail roads reported in said bill.

3d. It shall be necessary for stockholders to take and secure to the state one-half of the stock necessary for the completion of all turnpike roads reported in said bill, provided that the Wabash and Erie Canal to the mouth of Tippecanoe, shall not be included in the above arrangement;

Which was read, and,

On motion of Mr. Davis,

Laid on the table.

On motion of Mr. Ray,

Resolved, That the judiciary committee be instructed to inquire into the expediency of providing by law so that the powers and jurisdiction of justices of the peace, may be made uniform throughout the state, and of revising, amending, and reducing into one act all laws now in force, regulating the duties and jurisdiction of justices of the peace.

On motion of Mr. McCarty,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of passing an act to regulate the navigation and collection of tolls on the Wabash and Erie Canal, and authorize the board of canal commissioners upon said canal to fix the rates of toll to be paid by those who may navigate the same; and that said committee have leave to report by bill or otherwise.

On motion of Mr. Thompson of L.,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending an act, entitled an act relative to crime and punishment, that in all cases of conviction for crime punishable with death, the Governor shall have the power to commute the punishment to confinement in the state penitentiary for a term of time not less than ten years nor more than any number which may be deemed expedient by said committee, with leave to report by bill or otherwise.

On motion of Mr. Craig of P.,

Resolved, That the committee on roads be instructed to inquire into the expediency of revising the different road laws, so as to bring them into one general system; and further inquire into the expediency of authorizing and compelling the justices of the peace in each county in

this state, to lay off and district their respective townships into convenient road districts, with authority to allot the lands to each district; and also to appoint a competent supervisor for the several districts thus laid off, and that such supervisors thus appointed shall commence and finish their several works, in the month of June annually, if not be subject to presentment and indictment, with leave to report by bill or otherwise.

On motion,

Leave of absence was granted to Mr. Harris until Monday next.

Mr. Dunning moved the adoption of the following resolution:

Resolved, That Christian C. Nave have the privilege of producing to this House a succinct statement of the points made by his counsel, and a brief containing the principal arguments and authorities referred to in support of his defence before the committee appointed to investigate the charges preferred against him, and that 100 copies of the same be printed for the use of the members of this House;

Which,

On motion of Mr. Ray,

Was amended by striking it out from its resolving clause and inserting the following:

"That C. C. Nave be permitted to appear in this House by himself and counsel to make his defence to the charges preferred against him in this House as a member thereof, when the said charges may be taken up and are under investigation in this House."

And the House adjourned.

2 o'clock, P. M.

The House met.

On motion of Mr. Morris,

Resolved, That a select committee be instructed to inquire into the expediency of memorializing Congress to grant a bounty in land scrip, to the organized militia men, mounted militia men, and rangers, who defended the frontier of the United States during the last war with Great Britain.

Ordered, That Messrs. Morris, Stapp, and Collins be that committee.

Mr. Clark of Washington, having first obtained leave, introduced a joint resolution

(No. 45) to the compact between the United States and this State, on the subject of exempting lands purchased from U. S. from taxation for five years.

Which was read the first time and passed to a second reading on tomorrow.

Mr. Chamberlain moved the adoption of the following resolution:

Resolved, That the select committee appointed to apportion the Senators and Representatives under the late returns of polls, inquire into the propriety of so apportioning Senators and Representatives in

the counties of Elkhart, Lagrange, Steuben, De Kalb, Noble, Whitley, Kosciusko, St. Joseph, Marshall, Stark, Laporte, Porter, Newton, and Pulaski, that said counties shall have three Senators and six Representatives; and that for this purpose, said committee be governed by the probable number of polls in such of the aforesaid counties as are now unorganized, and from which no returns of polls have been made, and that said committee also have reference to the probable increase of population in all of said counties;

Which said resolution,

On motion of Mr. Vandever,

Was amended by adding thereto "and all other counties."

And the said resolution as amended, was adopted.

On motion of Mr. Macey,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of repealing so much of the 20th section of the act, entitled an act regulating the duties of justices of the peace, as requires the justice to administer an oath or affirmation to any person or persons appearing before such justice, to confess judgment on promissory notes and writings obligatory, that the judgment was not so confessed to defraud any of his creditors, and report by bill or otherwise.

On motion of Mr. Whitman,

Resolved, That the committee on roads be instructed to inquire into the expediency of so amending the present system of repairing common roads as to make it the duty of the supervisors to let out to any person or persons, the repairing of any particular part of the road which may require repairing or opening to the lowest bidder; and that said supervisors shall not have the right of hiring men to do any work which shall be under their superintendence, excepting such work as shall be done by those who have to work out their road tax, and that all moneys collected by said supervisors to be applied to the construction or repairing of roads or bridges, shall be expended by way of contract as before stated, and a supervisor shall in no case have any personal interest in such contract.

Mr. Posey moved the adoption of the following resolution:

Resolved, That the committee on canals and internal improvements, to which the memorial of the Lawrenceburgh and Indianapolis Rail Road company was referred, be instructed to inquire into the expediency of requiring said company to construct a branch of said road to Greenfield in Hancock county, by way of Rushville in Rush county, as a condition on which the prayer of the company shall be granted, to report by bill or otherwise.

Mr. Macey moved to amend said resolution by inserting after the word "Rushville" "Knightstown;"

Which motion did not prevail.

And the question recurring on the adoption of said resolution, was decided in the affirmative.

Mr. Jackson, from the joint committee on enrolled bills, report that they compared the enrolled with the engrossed joint resolution (No.

11) on the subject of maps, which originated in the House Of Representatives, and find the same truly enrolled.

Mr. Thompson of L. presented

A bill (No. 46) to legalize the proceedings of the board of commissioners of the county of Lawrence;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Graham, from the select committee, to which was referred a petition on that subject, reported

A bill (No. 47) to locate a state road from Boonsville to Jasper;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Carnan introduced

A bill (No. 48) to make the Knox county Agricultural Society a branch of the Indiana State Board of Agriculture;

Which was read the first time and passed to a second reading on tomorrow.

Leave of absence from this House, was granted to Mr. Thompson of J. until Monday next.

A message from the Senate by Mr. Morrison their Secretary:

Mr. SPEAKER—

The Senate has passed an engrossed joint resolution from the House of Representatives, (No. 11) relative to pre-emptions to settlers on the public lands of the United States within the State of Indiana; and an engrossed bill (No. 4) entitled an act to re-locate a state road in the county of Orange, from Orleans to George French's.

The latter with an amendment.

Also, bills of the Senate entitled as follows:

(No. 8)—An act to repeal the act, entitled an act to amend the several acts regulating the jurisdiction and duties of justices of the peace in the several counties therein named, approved February 7th, 1835, so far as the provisions thereof extend to the counties of Washington and Orange.

(No. 12)—An act to continue in force an act for the benefit of persons who are likely to suffer by the destruction of the records of Parke county, approved Dec. 28, 1832; and also an act amendatory thereto, app'd. Jan. 5, 1834.

The Senate has also adopted the following resolution:

Resolved, That a committee of five members be appointed on the part of the Senate, to act with a similar committee on the part of the House of Representatives, for the purpose of examining and receiving the State House; and that the House of Representatives be informed thereof, and their concurrence therein requested.

And Messrs. Collett, Hillis, Payne, Brady, and Stewart have been appointed a committee on the said resolution on the part of the Senate.

In which amendment of the Senate to the engrossed bill of the

House (No. 4); bills of the Senate (Nos. 8 and 12), and resolution of the Senate, the concurrence of the House of Representatives is requested.

The amendment of the Senate to the bill of the House (No. 4) to relocate a state road in the county of Orange, from Orleans to George French's, was read and concurred in by the House.

The bill of the Senate, named in said message, (No. 8) to repeal the act entitled an act to amend the several acts regulating the jurisdiction and duties of justices of the peace in the several counties herein named, approved Feb. 7, 1835, so far as the provisions thereof extend to the counties of Washington and Orange,

Was read the first time, and passed to a second reading on to-morrow.

Bill of the Senate (No. 12) to continue in force an act for the benefit of persons who are likely to suffer by the destruction of the records of Parke county, approved Dec. 28, 1832; and also an act amendatory thereto, app'd. Jan. 8, 1834,

Was read the first time, and passed to a second reading on to-morrow.

The engrossed bill [No. 9] to incorporate the Madison Savings' Institution,

Was read the third time, and,

On motion of Mr. Eggleston,

Amended by the unanimous consent of the House, by adding to the 13th section the following proviso, viz:

"Provided that said corporation shall not hold real estate, an unreasonable time, but shall sell all that may be taken as above, so soon as they can conveniently turn the same into money to the amount of the original debt and interest.

And said bill as amended, was passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence.

And the House adjourned.

WEDNESDAY, DEC. 23, 1835.

The House met.

Mr. Collins, presented the petition of N. Albertson and others of Harrison county, praying that a portion of said county may be stricken off and attached to the county of Floyd;

Which was read and referred to a select committee of Messrs. Collins, Wilson, and Dunning.

On motion of Mr. Kilgore,

The rules of the House having been dispensed with, the resolution

laid on the table on yesterday, proposing to give notice to the Hon. Gustavus A. Everts, of the charges preferred against him to this House, was taken up and adopted.

Mr. Howard presented the petition of P. James and others, of Dearborn county, praying the incorporation of a company to construct a certain road therein named;

Which was read and referred to a select committee of Messrs. Howard, Walker of D., and Smith.

On motion of Mr. Mason,

The petition of Amelia Willey, heretofore laid on the table, praying a divorce from her husband, Alfred Willey, was taken up and,

On motion of Mr. Mason,

Referred to the standing committee on the judiciary.

On motion of Mr. Chamberlain,

The petition of John Longacre of Elkhart county, heretofore laid on the table, praying to be divorced from his wife Louisa Longacre, was taken up, and,

On motion of Mr. Chamberlain,

Referred to the standing committee on the judiciary.

On motion of Mr. Chamberlain,

The remonstrance presented by him on yesterday, of sundry persons, against the location of a certain state road therein named, and laid on the table, was taken up, and,

On motion of Mr. Chamberlain,

Referred to the same select committee to which was referred a petition on that subject.

Mr. Wilson, from the standing committee of ways and means, made the following report:

Mr. SPEAKER—

The committee of ways and means to which was referred a resolution directing them to inquire into the expediency of authorizing the boards doing county business in this state to appoint one or more collectors in each county, have had the same under consideration, and have directed me to report that legislation on that subject is inexpedient.

Also, that paragraph in said resolution, instructing them to inquire into the expediency of increasing the amount of bonds to be given by collectors of county and state revenue, have had the same under consideration, and have directed me to report a bill.

The bill (No. 49) named in said report to amend an act entitled an act for assessing and collecting the revenue, approved Feb. 10, 1831;

Was read the first time, and passed to a second reading on to-morrow.

So much of said report as relates to the inexpediency of the board

of commissioners of each county appointing one or more assessors, was,

On motion of Mr. Hubbard,
Laid on the table.

Mr. Stapp, from the committee on the judiciary, made the following report:

The judiciary committee, to whom was referred a resolution, directing them to inquire what amendment, if any, is necessary to the 48th section of the act regulating the jurisdiction and duties of justices of the peace, approved February 10, 1831, have had that subject under consideration, and have directed me to report that it is inexpedient to legislate further on that subject.

Mr. Bennett made the following report:

The committee on claims, to whom was referred a resolution of this House, directing them to inquire into the expediency of making an allowance to W. S. Unthank for services in preparing the Hall and the Senate Chamber for the reception of members, have had that subject under their consideration, and have recommended the adoption of the following resolution:

Resolved, That the committee of ways and means be directed to allow W. S. Unthank in the specific appropriation bill the sum of eight dollars for said services.

Which was concurred in by the House.

Mr. Bennett also made the following report:

The committee on claims to whom was referred the petition of Richard Mattingly, praying for an allowance for keeping certain prisoners in the jail of Marion county, have according to order, had that subject under their consideration, and notwithstanding the justice of the claim of Mr. Mattingly, the committee are clearly of opinion that as a matter of law the county of Wabash is bound to pay said prison fees; but inasmuch as that county is represented to be illy able to pay such demand, being yet in its infancy, and inasmuch as it would be an act of monstrous injustice to let the jailor go unremunerated for his services, the committee are of opinion that this House ought in justice to provide some means to compensate said jailor, and therefore recommend the adoption of the following resolution.

Resolved, That the committee of ways and means be directed to allow Richard Mattingly in the specific appropriation bill the sum of sixty-seven dollars, to be paid out of the canal fund.

On motion,

Said report, resolution, and claim, was referred to the standing committee of ways and means.

Mr. Johnston, from the committee on enrolled bills, reported that they did on this day, present to his excellency, the Governor for his ap-

proval and signature, a joint resolution which originated in the House of Representatives of the following title, to wit:

(No. 11) a joint resolution on the subject of maps.

The petition of Wm. Johnson of Wabash county, praying certain allowances therein named, heretofore referred to the committee on claims,

On motion of Mr. Thompson of L.,

Was referred to the committee of ways and means.

Mr. Vawter, from the standing committee on roads, to which was referred a petition on that subject, made the following report:

Mr. SPEAKER—

The committee on roads, to which was referred the petition of Thomas Montgomery and others, praying that the road from Owensville to the mouth of Patoka creek in Gibson county, be declared a state road, and asking an appropriation of money to be made for the improvement of said road, have had the same under consideration, and are of opinion that so much of said petition, as asks for an appropriation ought not, at this time, to be granted. That the remainder of said petition is reasonable, and therefore report a bill.

The bill (No. 50) named in said report, declaring the county road from Owensville, to the mouth of Patoka in Gibson county, a state road;

Was read the first time, and passed to a second reading on to-morrow.

Mr. Vawter, from the standing committee on roads, to which was referred a resolution on that subject, reported

A bill (No. 51) amendatory of an act for opening and repairing public roads and highways, approved Feb. 10, 1831;

Which was read the first time, and passed to a second reading on to-morrow.

Mr. Vawter, from the committee on roads, made the following report:

Which was read and concurred in, to wit:

Mr. SPEAKER—

The committee on roads, to whom was referred a resolution of this House instructing the same to enquire into the expediency of punishing supervisors by indictment for any neglect of duty, have had that subject under consideration and have directed me to report, that legislation on that subject is inexpedient.

Mr. Jackson, from the select committee to which was referred the petition of John Sheets on that subject, reported

A bill (No. 52) to incorporate the Madison Water and Manufacturing Company;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Chamberlain, from the select committee to which was referred a petition on that subject, reported

A bill (No. 53) to establish a certain state road therein named;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Zenor, from the select committee to which was referred a petition on that subject, reported

A bill (No. 54) to locate a state road from New Albany, in Floyd county, to Mauksport in Harrison county;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Chamberlain, from the select committee to which was referred a petition on that subject, reported

A bill (No. 55) to establish a certain state road therein named;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Collins, from the select committee to which was referred a petition on that subject, reported

A bill (No. 56) to locate a state road from New Albany to Charlestown;

Which was read the first time and passed to a second reading on tomorrow.

A Message from the Senate by Mr. Morrison their Secretary:

Mr. SPEAKER—

The Senate has concurred in the amendments proposed by the House of Representatives to the 1st amendment of the Senate to the engrossed joint resolution from the House of Representatives, (No. 5) relative to the payment of postage.

On motion of Mr. Walker of S.,

Resolved, That the committee on canals and internal improvements, be instructed to inquire into the expediency of a loan being made of one million dollars, to be vested in lands within this state, along or against, to or as near as good selections can be made to the several lines of internal improvements now proposed, and that said lands be rated at such rates as may be thought advisable, and sold on such credits as the interest of a system of internal improvements may require, the interest paid annually in advance.

On motion on Mr. Bryan,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of requiring parties in all suits at law on contracts and tort, when required by the adverse party, to be sworn as a witness.

Mr. Kilgore moved the adoption of the following resolution:

Resolved, That this House will, when it adjourns, adjourn until Monday next, the Senate concurring.

Mr. Bryan moved to lay said resolution on the table;

Which motion was lost.

Mr. Miller moved to indefinitely postpone the further consideration of said resolution,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Bryan, Carr, Chamberlain, Chambers, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of M., Craig of P., Curtis, Davis, Edmonston, Edwards, Eggleston, Graham, Gregg, Howard, Howell, Hubbard, Huckleberry, Jackson, Johnston, Jones, Liston, Mason, McCarty, Miller, Moore, Morris, Murray, Phelps, Ray, Ristine, Smith, Stapp, Steele, Strain, Templeton, Thompson of A., Vandever, and Watt,—46.

And those who voted in the negative are,

Messrs. Brown, Buell, Carnan, Cushman, Dunning, Evans, Gardner, Hannaman, Harrow, Kilgore, Lee of M. and C., Macey, McBean, Posey, Storm, Thompson of L., Vawter, Walker of D., Walker of S., Whitman, Willett, Wilson, and Zenor,—23.

And so said resolution was indefinitely postponed.

Mr. Davis moved the adoption of the following resolution:

Resolved, That the committee of ways and means be instructed to inquire into the expediency of so changing the ad valorem system of taxation, passed the last session of the legislature of this state, as to exempt persons in this state from paying tax on fifteen head of hogs and "two hundred" dollars worth of household furniture.

Mr. Vandever moved to amend said resolution by striking out the words "two hundred," and insert in lieu thereof "fifty;"

Which carried in the affirmative; when,

On motion of Mr. Vawter,

Said resolution was laid on the table.

Mr. Vawter moved the adoption of the following resolution:

Resolved, That the committee of ways and means be directed to allow in the bill making specific appropriations to Benjamin Crews, William Miller, and John G. McClelland, three dollars and twenty-five cents each, to William Doble two dollars and twenty-five cents, to John Walker three dollars and seventy-five cents, to William Sheets, Austin W. Morris, John Sering, and David Burr one dollar and twenty-five cents each.

Mr. Morris moved to amend said resolution by striking out the names of David Burr, Austin W. Morris, William Sheets and John Sering.

Mr. Kilgore moved to amend said proposed amendment by further striking out the name of John Walker;

Which motion was decided in the negative,

And the question being put on the amendment of Mr. Morris, was also negatived,

And the question then recurring on the adoption of the resolution, was decided in the affirmative.

On motion of Mr. Edwards,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of the construction and survey of a rail road from the mouth of Nettle creek in Wayne county, to Fort Wayne in Allen county, by the way of Winchester in Randolph county, with leave to report by bill or otherwise.

On motion of Mr. Morris,

Resolved, That the committee on the affairs of the town of Indianapolis be directed to inquire into the expediency of reporting a bill or joint resolution to carry into effect the provisions of the law granting to Indianapolis two per cent out of the sale of lots in Indianapolis for the use of a county library.

On motion of Mr. Clark of Washington,

Resolved, That the judiciary committee be instructed to inquire into the constitutionality of any amount of property being exempt from execution by law, to report by bill or otherwise.

On motion of Mr. Buell,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of providing by law for surveying and estimating the expense of improving the navigation of the Wabash river at the Grand rapids, so as to make the navigation at that point for the passage of steam boats and other water crafts equal to the river above; also the probable expense of removing the logs, snags, and other obstructions of the same kind, and to include said work in the bill to be reported, providing a general system of internal improvements.

On motion of Mr. Steele,

Resolved, That the committee on education be instructed to inquire into the expediency of so amending the school law, as to make it the duty of the voters of each congressional township to elect one school commissioner for their respective townships in the several counties in this state, whose duty it shall be to receive and disburse all monies arising from their respective school sections in like manner as the county school commissioner is required to do, and to do all the duties that are required of the three trustees of each township by the act of 1833; and that the money arising from each township, shall be appropriated to the use of the respective townships from which it was raised, with leave to report by bill or otherwise.

On motion of Mr. Hubbard,

Resolved, That the judiciary committee be instructed to inquire whether wheat, corn, and other grain, fruit, vegetables, and grass, are such articles of property as is now or ought to be made objects in the hands of executors and administrators, without an order of the probate court, and whether the same ought to be made subject to execution as aforesaid, or to administration, before the same are ripe or fit for harvest.

On motion of Mr. Jones,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so changing the law allowing prosecuting attorneys certain fees, as to cause said fees to be paid into the State Treasury, and of increasing the salaries of said attorneys, with leave to report by bill or otherwise.

On motion of Mr. Bardwell,

Resolved, That the committee on canals and internal improvements, be directed to inquire into the expediency (in the event of the State entering into a general system of internal improvements), of incorporating in the bill to be reported for that purpose, as a portion of that system, the construction by the state of a rail road from Shelbyville, a point on the Lawrenceburgh and Indianapolis Rail Road, *via* Greenfield in Hancock county, to some convenient point on the contemplated White river canal in a northern direction.

And the House adjourned.

2 o'clock P. M.

The House met.

Mr. Evans moved to re-consider the vote taken this morning on referring the report and resolution of the committee on claims, relative to the claim of Mr. Mattingly to the standing committee of ways and means;

Which was decided in the affirmative; when,

On motion of Mr. Thompson of A.,

Said report and resolution were laid on the table.

The Speaker laid before the House a communication from the Treasurer of State on the subject of a fire engine for the use and preservation of the State House;

Which was read, and,

On motion,

Referred to the standing committee of ways and means,

The Speaker laid before the House a communication from Wm. Sheets, Secretary of State on the subject of the returns of the late census;

Which,

On motion of Mr. Evans,

Together with a former communication on the same subject, laid on the table, was referred to the committee of ways and means and 500 copies thereof ordered to be printed.

The Speaker laid before the House a communication from the Secretary of State, on the subject of the state prison, accompanied by a communication from the superintendent thereof;

Which were read and referred to the standing committee on the state prison.

Mr. McCarty introduced

A joint resolution (No. 67) of the General Assembly of the State of Indiana;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Morris gave notice that he would on to-morrow, move to amend the standing rules of the House, so as to appoint an additional standing committee, to be denominated the committee on agriculture.

Mr. Carnan presented

A bill (No. 58) respecting the borough of Vincennes;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Jackson, from the joint committee on enrolled bills, reported that they compared the enrolled with the engrossed bill (No. 13) which originated in the House of Representatives, entitled an act to extend the time of returning to the clerks of the several counties and the Auditor of State, assessments of property under the revenue law of 1835, and find the same truly enrolled.

On motion of Mr. Morris,

The House resolved itself into a committee of the whole on the joint resolution of the Senate,

(No. 4) on the subject of the admission of Michigan Territory into the Union; and the joint resolution of the House on the same subject;

And after some time spent therein,

The Speaker resumed the Chair, and,

Mr. Ray reported progress and asked leave to sit again.

And the question being put thereon, was decided in the negative.

On motion of Mr. Liston,

Said joint resolutions were referred to a select committee of Messrs. Liston, Chamberlain, and Mason.

Mr. Murray moved the adoption of the following resolution:

Resolved, That this House, when it adjourns to-morrow, (the Senate concurring therein) adjourn until Monday next;

Which,

On motion of Mr. Davis,

Was indefinitely postponed.

And the House adjourned.

THURSDAY, DECEMBER 24, 1835.

The House met.

The Speaker laid before the House a communication from M. M. Henkle, Secretary of the Indiana State Board of Agriculture;

Which was read, and,

On motion of Mr. Morris,

Laid on the table.

Mr. Morris presented a communication from the committee appointed by the Indiana Baptist Education Society, praying an act of incorporation incorporating said society;

Which was read, and,

On motion of Mr. Morris,

Referred to a select committee of Messrs. Thompson of J., Morris, and Vawter.

Mr. Vandever presented the petition of W. Smith and others, citizens of Orange county, praying an act prohibiting deputy clerks from practicing law in the Circuit and Probate Courts;

Which was read, and,

On motion of Mr. Vandever,

Referred to the standing committee on the Judiciary.

Mr. Morris presented the petition of the Board of Trustees of the town of Indianapolis, praying a special act of incorporation;

Which was read and referred to a select committee of Messrs. Morris, Brown, and Whitman.

Mr. Morris presented the petition of Lyle McClung and others, improvers of the donation lands of the state, praying certain relief therein named;

Which was read, and,

On motion of Mr. Morris,

Referred to the standing committee on the affairs of the Town of Indianapolis.

Leave of absence from this House was granted to Mr. Walker of S. until Monday next.

Mr. Vawter from the committee on roads made the following report:

The committee on roads to which was referred the petition of Israel Hamilton and others, praying the location of a state road from the town of Jefferson in Clinton county via Winship & Co's mill, to Dayton in Tippecanoe county, have had the same under consideration, and have directed me to report that legislation on the subject of said petition is inexpedient;

Which was read and concurred in by the House.

On motion of Mr. Vandever,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the attachment law, as to provide for issuing attachments against absconding debtors on demands not due, with leave to report by bill or otherwise.

On motion of Mr. Graham,

Resolved, That the judiciary committee be instructed to inquire into the expediency of repealing the 7th section of an act entitled an act to license and regulate taverns and groceries, with leave to report by bill or otherwise.

On motion of Mr. Brown,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the several acts regulating the practice at law and duties of justices of the peace, as that it shall not be necessary for a party in civil actions to tender to a witness his fees before he shall be allowed to issue an attachment against such witness unless the fee be demanded at the time of serving the summons, and to render the practice in such cases uniform throughout the several circuits and counties in the state.

On motion of Mr. Whitman,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law respecting bail, as to require the judges of the circuit courts, in all cases, where the party is indicted for larceny to fix the amount of bail at not less than fifty per cent more than the amount set forth in such indictment, and that the justices of the peace be governed by the same law in all cases of commitment.

On motion of Mr. Moore,

Resolved, That the committee on canals be instructed to inquire into the expediency of memorializing Congress to donate to the state one half of all the vacant lands on the route of the White river survey for a canal, for the distance of five miles on each side of said route, with leave to report by memorial or otherwise.

On motion of Mr. Cushman,

Resolved, That the committee on canals and internal improvements be requested to inquire into the expediency of continuing the survey and estimate of the Wabash and Erie canal from Terre Haute down the valley of the Wabash river to Merom, thence to Vincennes, from Vincennes to some suitable point on White river South or South-east of Vincennes, to report by bill or otherwise.

On motion of Mr. Davis,

The resolution, laid on the table on yesterday, proposing to exempt certain property therein named from taxation, was taken up.

Mr. Kilgore moved to strike out so much thereof as related to hogs, and insert "hogs over one year old to the amount of fifty dollars in value," when,

On motion of Mr. Thompson of L.,

Said resolution and appending amendment were indefinitely postponed.

On motion of Mr. Boone,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the law regulating the fees of witnesses attending before justices of the peace, as to allow them fifty cents per day.

On motion of Mr. Seele,

Resolved, That the committee of ways and means inquire into the expediency of perfecting the ad valorem system of taxation, so as to make it bear on all portions of community in this state.

On motion of Mr. Craig of P.,

Resolved, That the judiciary committee be instructed to inquire

what amendment, if any, is necessary to the 49th section of the act regulating the jurisdiction and duties of justices of the peace, approved Feb. 10, 1831, so as to place that section beyond a doubt as to the power of justices to commence suit without compelling non-resident plaintiffs to give security for costs, with leave to report by bill or otherwise.

On motion of Mr. Edwards,

Resolved, That a select committee be appointed to inquire into the expediency of reporting a bill to this House, amendatory of the act incorporating the Wayne and Union turnpike company, approved Feb. 7, 1835, so as to increase the capital stock of said company to one hundred thousand dollars, with powers to construct a turnpike road from Winchester in Randolph county through Wayne county to Liberty in Union county, and from thence upon the most practicable route, in the direction of Hamilton and Cincinnati, in the state of Ohio, to the Ohio state line, and if found expedient, that said committee inquire into the propriety of this state giving her credit to said company, on being secured by mortgage on real estate of the stockholders, to one half of the capital stock of said company.

On motion of Mr. Wilson,

Resolved, That the committee on roads be instructed to inquire into the expediency of requiring supervisors to make their returns to the boards doing county business, under oath setting forth the number of days or parts of days each hand in his district shall have faithfully worked, the number of days required by law of them to work, exhibiting the time for which either or any of them may be delinquent, and providing that such return when made, shall be placed in the hands of the collector of the county and state revenue by the clerk of the respective county, and that the collector be authorized and required to collect from such delinquents a sum equal to the amount provided by law for failure to work, together with ten per centum for his services in making such collection; that said funds when so collected, be deposited with the county treasurer, subject to the order of the supervisors of the respective district.

On motion of Mr. Bennett,

Resolved, That the committee of ways and means, be instructed to inquire into the expediency of so amending the revenue law of last session, as to clearly define whether all improvements on real estate are to be taken into consideration, in the valuation thereof by the listor.

On motion of Mr. Chamberlain,

Resolved, That the committee of ways and means inquire into the expediency of providing by law, for the publication and distribution to all township officers of their respective duties in pamphlet form, and report by bill or otherwise.

Mr. Jackson from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bill and joint resolution, which originated in the House of Representatives, of the following titles, to-wit:

(No. 4)—An act to re-locate a state road in the county of Orange, from Orleans to George French's.

(No. 12)—A joint resolution relative to pre-emptions to settlers on the public lands of the United States, within the state of Indiana, and find the same truly enrolled.

Mr. Thompson of A., presented

A joint resolution (No. 59) on the subject of a purchase of a tract of land of the U. States.

Which was read the first time and passed to a second reading;

When,

Mr. Kilgore moved that the rules of the House be dispensed with, and that said resolution be read a second time now;

Which was decided in the affirmative,

And said joint resolution was read a second time and ordered to be engrossed for a third reading; when,

On motion of Mr. Kilgore,

The rules of the House were further dispensed with, the said joint resolution considered as engrossed, and read a third time and passed.

Ordered, That the Clerk carry it to the Senate and ask their concurrence.

Mr. Dunning introduced

A bill (No. 60) to divorce John Tincher and his wife Polly Tincher; Which was read the first time.

Mr. Davis moved to reject said bill.

And the question being taken thereon, was decided in the affirmative.

The Speaker laid before the House the annual report of William Polke, Commissioner of the Michigan road;

Which was read, and,

On motion of Mr. Bryan,

Referred to the committee on roads and ordered to be printed.

Mr. Morris, in pursuance of a notice given on yesterday, moved to amend the standing rules of business of this House, by adding thereto an additional standing committee, to be called the committee on agriculture.

And the question being put on said motion, was decided in the affirmative;

And so said rules were so amended.

The House then proceeded to consider the orders of the day.

The bill (No. 22) for the electing trustees to receive deeds for lots or land given or purchased for the use of schools and meeting houses, was read the second time and ordered to be engrossed and read a third time to-morrow,

Message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed a joint resolution (No. 14) authorizing the re-

ception of the State House from the contractor; in which the concurrence of the House of Representatives is requested.

The engrossed joint resolution of the Senate, named in said message, (No. 14) authorizing the reception of the State House from the contractor, was three times read, (the rules of the House having been dispensed with, and passed.

The bill (No. 23) to establish a state road from Delphi in Carroll county, to Dayton in Tippecanoe county.

The bill (No. 24) establishing as a state road the county road from Livonia to George Becks.

The bill (No. 25) declaring a certain county road therein named a state road.

The bill (No. 27) to repeal an act entitled an act to incorporate the Crawfordsville Seminary. And,

The bill [No. 29] to organize the county of Adams;

Were severally read the second time and ordered to be engrossed and read a third time to-morrow.

The bill [No. 26] to incorporate the Vincennes Academy, was read a second time, and,

On motion of Mr. Bryan,

Referred to the judiciary committee.

The bill [No. 30] to organize the county of Fulton, was read the second time; when,

Mr. Vandever moved to amend said bill by striking out of the 8th section the words "publication in the Indiana Journal" and insert in lieu thereof the word "passage;"

Which was decided in the affirmative,

And the said bill as amended, was ordered to be engrossed and read a third time to-morrow.

And the House adjourned.

2 o'clock, P. M.

The House met.

Leave of absence from attendance on the House, was granted to Messrs. Dunning and Vandever until Monday next.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed an engrossed bill (No. 15) for the apportionment of Senators and Representatives in the General Assembly of this State; in which the concurrence of the House of Representatives is requested.

The engrossed bill (No. 15) of the Senate, named in said message, for the apportionment of Senators and Representatives in the Gener-

al Assembly of this State, was twice read, (the rules of the House having been dispensed with); when,

Mr. Brown moved to refer said bill to the select committee on that subject,

Which motion was decided in the negative.

Mr. Murray then moved that said bill do lie on the table;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Brown, Bryan, Buell, Carr, Chamberlain, Collins, Edmonston, Graham, Howell, Miller, and Murray—11.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Carnan, Chambers, Chiles, Clark of Wayne, Clark of Washington, Craig of P., Curtis, Cushman, Davis, Edwards, Eggleston, Evans, Gardner, Gregg, Hannaman, Harrow, Howard, Hubbard, Hackleberry, Jackson, Johnston, Jones, Kilgore, Lee of M. and C., Liston, Mason, McCarty, Moore, Morris, Phelps, Posey, Ray, Ristine, Smith, Stapp, Steele, Storm, Strain, Templeton, Thompson of A., Thompson of L., Vawter, Walker of D., Watt, Whitman, Willett, Wilson, Zenor, and Smith, Speaker—53.

And so said bill was not laid on the table.

Mr. Bryan moved to amend said bill as follows, viz:

That the county of Rush shall be entitled to two Representatives; the county of Decatur to one Representative; and said counties shall be entitled to one additional Representative, to be elected by them alternately, commencing with the county of Rush;

Which motion was lost.

On motion of Mr. Thompson of A.,

The following amendment thereto was adopted:

That the counties of Allen, Wells, and Adams shall form one Senatorial district and be entitled to one Senator; and,

The counties of Wabash, Jay, Huntington, and Grant shall form one Senatorial district and be entitled to one Senator.

On motion of Mr. Buell,

Said bill was further amended by adding to the Representative district composed of Warren county, the territory attached thereto; and by attaching to the Senatorial district composed of Vermillion and Warren counties, the territory attached to Warren county for judicial purposes.

Mr. Davis moved the following amendment;

Which was decided in the negative:

That the counties of Clinton, White, Carroll, and Jasper shall form one Senatorial district and be entitled to one Senator.

Mr. Chamberlain proposed to amend said bill as follows:

To add the county of Kosciusko to the Senatorial district composed of the counties of Elkhart, Lagrange, &c; and to add the county of

DeKalb, to the Senatorial district, composed of the counties of Allen, &c.

And on the question shall said amendment be adopted? it was decided in the negative.

On motion of Mr. Kilgore,

Said bill was amended by adding the county of Jay to the Representative district composed of the counties of Huntington, Wells, and Adams, in the 7th section thereof.

On motion of Mr. Thompson of L.,

Said bill as amended, was considered as engrossed, read a third time and passed.

Ordered, That the Clerk inform the Senate of the amendments of the House to said bill and ask their concurrence therein.

On motion,

The House adjourned until Monday morning 9 o'clock.

MONDAY DEC. 28, 1835.

The House met.

The Speaker announced to the House the following standing committee on agriculture, to wit:

Messrs. Morris, Posey, Huckleberry, Clark of Wayne, Edwards, Buell, and Zenor.

Mr. Thompson of A. presented the remonstrance of Peter Welch and others, citizens of Carroll county against crossing the canal over the Wabash river on the pool of a dam at Ballard's Bluff;

Which was read, and,

On motion of Mr. Thompson of A.,

Referred to the standing committee on canals and internal improvements.

A Message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has concurred in the amendment proposed by the House of Representatives, to the amendment of the Senate to the 2d amendment made by the House, to the joint rules for the transaction of business between the two Houses.

The Senate has also passed, without amendment, engrossed bills from the House of Representatives, entitled as follows, viz:

(No. 16) an act to locate a state road in Dearborn county from the town of Dillsborough to Aurora.

(No. 18) An act to establish as a state road, the county road from Jasper, via Portersville and Smith's ferry on the East fork of White river to Washington in Daviess county;

(No. 19) An act to legalize the proceedings of the commissioner of a state road therein named.

Mr. Johnston, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed joint resolution of the House of the following title, to wit:

(No. 5) a joint resolution relative to the payment of postage.

And find the same truly enrolled.

Mr. Dunning presented the petition of James H. King, recorder of Monroe county, praying certain relief therein named;

Which was read and referred to a select committee of Messrs. Dunning, Moore, and Murray,

Mr. Craig of M. presented the petition of Gideon Johnston and others, citizens of Morgan county, praying a change in a state road leading from Martinsville in Morgan county, to Danville in Hendricks county, so as to make Monrovia a point; also a state road from Mooresville in Morgan county, by way of Monrovia, to Prewit's farm in Morgan county;

Which was read and referred to a select committee of Messrs. Craig of M., Vandever, and Thompson of J.

Mr. Liston presented the petition of James Inwood and others, praying an extension of the county of Marshall;

Which was read and referred to a select committee of Messrs. Liston, Thompson of A., and Chamberlain.

Mr. Vandever, presented the petition of W. Smith and others, citizens of Orange county, praying a state road from the town of Troy, in Perry county, to the town of Paoli, in Orange county;

Which was read, and,

On motion of Mr. Vandever,

Referred to the standing committee on roads.

Mr. Chiles presented the petition of David Walkins and others, on the subject of the Wabash and Erie canal;

Which was read, and,

On motion of Mr. Chiles,

Referred to the standing committee on canals and internal improvements.

Mr. Collins presented the petition of J. C. Steel and others, citizens of Floyd county, on the subject of a turnpike road from the town of New Albany, on the Ohio, to the town of Vincennes;

Which was read, and,

On motion of Mr. Collins,

Referred to the standing committee on canals and internal improvements.

Mr. Carnan presented the petitions of Joseph Brown and others, citi-

rens of Knox county, praying a McAdamized turnpike road from New Albany to Vincennes;

Which was read, and,

On motion of Mr. Carnan,

Referred to the standing committee on canals and internal improvements.

Mr. Eggleston presented the petition of Francis L. Sheets and others, citizens of the counties of Switzerland and Ripley, praying the construction of a turnpike road from Vevay, in Switzerland county, to intersect the Michigan road at or near Napoleon;

Which was read, and,

On motion of Mr. Eggleston,

Referred to the standing committee on canals and internal improvements.

Mr. Hubbard presented the petition of S. H. Beeson and others, citizens of the counties of Wayne and Henry, praying for a state road from Franklin, in Wayne county, to Mary Mendenhall's, in Henry county, thence to the state road leading from Economy to Muncietown;

Which was read and referred to a select committee of Messrs. Hubbard, Clark of Wayne, and Curtis.

Mr. Craig of M. presented the petition of Joshua Taylor and others, praying the location of so much of the Indianapolis and Leavenworth road as lies between Martinsville and the ford of Clear creek, in the county of Morgan; and,

Mr. Craig of M. also presented the remonstrance of Hiram T. Craig and others, against the prayer of said petition;

Which were severally read and referred to a select committee of Messrs. Craig of M., Moore, and Storm.

Mr. Armstrong presented the petition of Joshua W. Custer and others, praying a state road from Providence to Greenville;

Which was read and referred to a select committee of Messrs. Armstrong, Huckleberry, and Whitman.

Mr. Dunning from the committee on education made the following report:

Mr. SPEAKER—

The committee on education, to which was referred the report of the trustees of the Indiana College, have had so much thereof under consideration as relates to a sale of one of the reserved sections of land in said township, and have directed me to report the following bill, to-wit:

A bill authorizing the sale of the residue of one of the reserved sections of land in the reserved township of land in Monroe county.

The bill (No. 61) named in said report, authorizing the sale of the residue of one of the reserved sections of land in the reserved township of lands in Monroe county;

Was read the first time, and passed to a second reading; when,

Mr. Dunning moved to dispense with the rules and read the said bill a second time now;

Which motion was decided in the affirmative;

And said bill was read the second time and ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Smith of R.,

The previous orders of the day were for the present dispensed with, and the report of the select committee, to whom was referred the petition of Wm. M. C. Blake, preferring certain charges against Christian C. Nave, a member of this House, was taken from the table, for the consideration of the House; when,

Mr. Stapp moved to again lay said report on the table;

Which motion prevailed.

Mr. Vawter, from the committee on roads, made the following report:

The committee on roads to which was referred so much of the message of the Governor as relates to the 3 per cent. fund, accruing to the state on account of the sales of the public domain, have according to order, had that subject under consideration, and have directed me to make the following report:

The committee having given to the subject matter referred to them, in the message of the Governor, a mature and deliberate examination, are of the opinion, that the best interest of the state, in reference to the 3 per cent. fund, considered in connection with the improvement of public roads and highways, does very forcibly recommend to the Legislature, the adoption of those liberal views presented in the message, on the subject of a loan, for the purposes of improving all the principal roads within the state, which must be an object of primary importance with every friend of internal improvement. On examination of the statutes of the state, commencing with the state government, it will appear, that more of the time of the legislature has been occupied on the subject of roads, than that of any other one object of legislation. Taking into view the yearly expense of printing and legislation on the subject of roads, it is believed that a change in the system of appropriating said fund is required, and will result in a clear saving to the state of from three to five thousand dollars yearly. It must be obvious to every one that a very large proportion of the petitions praying the legislature to locate state roads, are predicated on the hope of obtaining a part of said fund, hence the great number of useless state roads. The committee are of opinion, that by anticipating the 3 per cent. fund for twenty years, by a loan, will prevent thousands of petitions finding their way into the Legislative Halls, that would be otherwise sent, asking the location of useless state roads. The item of expense saved to the state by removing the cause for petitioning the Legislature yearly for roads and appropriation on the same, cannot fall much short, if any, in twenty years, of one hundred thousand dollars,

and this should be no small consideration with the legislature, in changing the present system. It is moreover believed that another important benefit would be the result of the contemplated change; the money herein contemplated, to be applied to the use of roads would be sufficient to make many of the most important roads good thoroughfares. That so soon as the contemplated appropriations are exhausted, the citizens every where will commence the improvement of all the important state roads, (and not as is now the case, say it is a state road, let the state keep it in repair.)

The condition of all the roads and highways in the state call loudly for improvement. It is with the legislature to provide the ways and means. The proposed system is believed to be less objectionable, than any other presented to the consideration of the committee. It is believed that the proceeds accruing to the state from the sales of public lands, will within twenty years, extinguish the debt and interest of the proposed loan; but should the committee in this view of the subject be mistaken, they are unanimously of the opinion that sound policy and the interest of the state, dictate the propriety of making said loan. The money obtained will be equally divided amongst the several counties in the state; the amount will greatly improve the principal roads within and through the state, and materially increase the circulating medium in every part of the community. It will improve and increase the commercial business in every section of the state. Good highways have and always will increase the value of real estate. Such has been the result in every country. Roads enable the agriculturalist to obtain a speedy and an increased price for the productions of the farm, and often at the door of the vendor. It appears to the committee that it will be no good argument against making the loan, by saying the people will have the money to pay, as money is worth its interest to the whole people, and should they ultimately have to refund every dollar, their interest will be promoted in the same ratio that money advances individual enterprise when borrowed and judiciously used. Of the utility and proper application of the money now proposed to be borrowed, the sound discretion of the legislature will decide.

While on the subject of the loan, the committee cannot overlook the advantages the appropriations will afford to the citizens in every portion of the state, by enabling them to pay into the public treasury the revenue wherewith they are charged. The committee are confident that no act of the legislature, would be so well calculated to allay the objections now urged against the proposed system of internal improvement, as the one herein presented to the House. It will carry conviction to the minds of all reasonable persons, that no part of the state is entirely left unprovided for. The committee are aware that many members of the House believe that such appropriations, as herein recommended, ought not to be made, and particularly to any county through which any of the principal works of improvement, are contemplated, being constructed. The committee cannot forbear stating their honest difference of opinion from all such. And first, the fund origin-

ally set apart "for making public roads and canals within the state," was a grant to the whole state, and as the fund is the product of land sales in the whole state, the committee infer that every county has a fair claim or interest in said fund. And for as much as good highways in one county are only connecting links to roads of an adjacent county, or counties, it must be apparent to all that such roads as are intended to be improved, will connect many counties together; some of which may be remote from any of the principal works of improvement, while others may cross said works, and all be of the greatest possible advantage to the progress of such extended system of internal improvement; affording channels of communication to and from such works of superior improvement. It is believed that those who would withhold from such counties their due proportion of the contemplated loan, forget that it will be some ten or fifteen years, before those principal works can be completed. That all such counties as are to be ultimately benefited by public works, are first to be neglected, and all roads in the same to remain unimproved for want of the proper appropriations, and that too, because a work some eight or ten years hence is contemplated being constructed through such county; while at the same time a large portion of the roads now in use in such counties are of vital importance to remote counties and districts of country, from any of the principal works of improvement. Hence the committee are decidedly in favor of making an appropriation to every county in the state, with a view of continuous roads from county to county, and have with a sincere desire for the prosperity of every part of the state, reported a bill authorizing a loan of five hundred thousand dollars for the improvement of the principal roads in every county in the state.

The bill (No. 62) named in said report, authorizing a loan for the improvement of state roads, and pledging the 3 per cent. fund for the payment thereof, was twice read, (the rules of the House having been first dispensed with); when,

Mr. Vawter moved that said bill be referred to a committee of the whole House and made the order of the day.

Mr. Ray moved to amend said motion by changing the reference to the committee on canals and internal improvements;

Which motion was lost.

And the question then recurring on the motion of Mr. Vawter to commit to the whole house, &c., was decided in the affirmative; and,

Four hundred copies of said report and bill ordered to be printed.

Mr. Strain from the select committee, to which was referred a petition on that subject, reported

A bill (No. 64) to change certain alleys in the town of Livonia;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Morris from the select committee on that subject, made the following report:

The committee to which was referred the petition of the board of

trustees of the town of Indianapolis, for a special act of incorporation of said town, reports herewith a bill in pursuance to the prayer of the petitioners, entitled a bill to incorporate the town of Indianapolis.

The bill (No. 63) named in said report, to incorporate the town of Indianapolis;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Liston, from the select committee, to which was referred the joint resolution of the Senate, and also of the House of Representatives on the subject of the northern boundary of this state, made the following report:

The select committee to which was referred the joint resolution of the Senate and also the joint resolution that originated in the House of Representatives, respecting the Territory of Michigan and the northern boundary of the State of Indiana, have had the same under consideration and report.

That the subject referred to your committee presents itself in an aspect so glaring, that in order to prevent an unhappy collision which might arise at a future day with a sister state, the subject referred by the resolutions is one to which the attention of Congress and the public mind cannot be too strongly directed.

Your committee deem it unnecessary to set forth at length the many reasons that might be adduced to sustain the position that Congress has the power to alter and define the boundaries of her territories by legislative enactments. The spirit and letter of the constitution, in the absence of all other reasoning, clearly defines that power to be vested in Congress.

The people of Michigan looking beyond this constitutional barrier, have set up their claim to a portion of territory within the limits of the state of Indiana, by virtue of the act of Virginia, ceding the territory north west of the Ohio river to the government of the United States.

By the fifth article of the ordinance of Congress of 1787 as well as the provisions of the act of cession of Virginia, the Congress were vested with discretionary power in laying off the ceded territory into not less than three nor more than five States.

The state of Virginia, previous to ceding the north western territory to the government of the United States, had the right of sovereignty as well as the usufructuary right, (derived by grant from the British Crown) to all that tract of country lying north west of the river Ohio; and by that act of cession the right of sovereignty as well as the usufructuary right to the north-western territory, were transferred by the state of Virginia to the United States, and although the government of the United States may sell or otherwise dispose of the usufructuary right of all her public lands in her territories; yet the right of sovereignty remains in the government of the United States until Congress shall by legislative enactment divest her of it.

The third section of the fourth article of the constitution of the

United States reads thus: "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." Although the constitution of the United States was adopted after the act of cession of Virginia, yet Virginia approved of the constitution of the United States with all its provisions and acknowledged it as the supreme Law of the Land for the government of these United States and their territories; and which constitution of the United States was approved by all the States previous to the act of Congress of 1805, authorizing the people of the territory of Michigan to organize themselves into a Territorial Government.

By the act of Congress of April 19th, 1816, authorizing the people of the Indiana Territory to form a State Government, the northern boundary of Indiana was extended to an east and west line drawn through a point ten miles north of the southern extreme of Lake Michigan.

In the month of May last the people of Michigan held a convention and adopted a constitution, preparatory to their organization as a State Government, and which constitution of the people of Michigan claims the right of sovereignty over ten miles of the northern part of the state of Indiana; and with such obnoxious provisions in their constitution, the people Michigan have the effrontery to ask Congress to nullify her own acts and recognize the right of sovereignty in the people of Michigan over a portion of the territory and citizens of the state of Indiana.

Your committee conceive that Congress has the power clearly defined by the constitution, to alter the boundaries of her territories at pleasure, and we look to her at this crisis for the exercise of that legislative wisdom which will obviate any future difficulty between conflicting jurisdictions—that if it is the wish of Congress to perpetuate the harmony of this Union, it is her duty to exercise every constitutional authority to prevent the sovereignty of one state from interfering with the jurisdiction of another. It is therefore to be hoped, that Congress will see at once the impropriety of admitting Michigan as a member of the confederacy, unless her boundaries shall be clearly defined in her constitution, agreeably to the provisions of the act of Congress of April 19th, 1816, which act prescribes the present boundaries of Indiana.

The state of Indiana has embarked in a general system of internal improvement, and as one of our most important public works (the Wabash and Erie canal) will terminate at or near the mouth of the Great Miami of the Lake, and within a strip of territory over which the state of Ohio and the people of Michigan each claim jurisdiction; and as it is highly important to the prosperity and success of the work of internal improvement in the state of Indiana, that the claims of Ohio to the disputed territory should be settled without delay—

Your committee, therefore, recommend that the resolution of the Senate be amended by adopting the following, and that the resolution of the House be indefinitely postponed.

Be it resolved by the General Assembly of the State of Indiana, That our Senators in Congress be instructed and our Representatives requested to oppose the admission of the people of Michigan as a state of the Union, unless they by their Constitution shall acknowledge the present northern boundary of the state of Indiana.

Be it further resolved, &c., That our Senators be instructed, and our Representatives be requested to unite their efforts with the Senators and Representatives in Congress from Ohio to obtain a permanent establishment of the northern boundary of Ohio on a parallel line with the northern boundary of Indiana.

Resolved, That his excellency the Governor be requested to forward a copy of the foregoing resolutions to each of our Senators and Representatives in Congress.

And the House adjourned.

2 o'clock P. M.

The House met.

The House resumed the consideration of the report of Mr. Liston, pending when the House adjourned this morning;

And the question being taken thereon, said report was concurred in.

And the joint resolution of the Senate therein named, (No. 4) as amended, on the subject of the admission of Michigan Territory into the Union, was ordered to be engrossed and read a the third time tomorrow.

Mr. Kilgore moved that the report of the select committee, to which was referred the petition of Wm. M. C. Blake, preferring certain charges against Mr. Nave, be taken from the table, & that Mr. Nave be invited to appear before the House, and make his defence against said petition and report by himself or counsel;

Which motion was decided in the affirmative, when,

Mr. Nave, by William Quarles Esq. his counsel appeared before the House for the purpose of defending [against] said charges &c., and after some time spent in the argument thereof, and before the same was concluded,

The House adjourned.

TUESDAY, Dec. 29, 1835.

The House met.

Mr. Morris presented the petition of John Trester and others, on the

subject of a Turnpike or Rail Road from Indianapolis to Michigan City;

Which was read, and,

On motion of Mr. Morris,

Referred to the standing committee on canals and internal improvements.

Mr. Dunning presented the petition of William Jackson and others, citizens of the counties of Monroe, Bartholomew, Morgan, and Jackson, on the subject of a new county;

Which,

On motion of Mr. Dunning,

Was referred to the select committee to which was heretofore referred sundry petitions on the same subject, without reading.

Mr. Johnston from the joint committee on enrolled bills, reported

That they did on the 28th inst., present to his Excellency the Governor, for his approval and signature, bills and joint resolution of the following titles, to-wit:

(No. 4)—An act to re-locate a state road in the county of Orange, from Orleans to George French's;

(No. 12)—A joint resolution relative to pre-emptions to settlers on the public lands of the United States, within the State of Indiana;

(No. 13)—An act to extend the time of returning to the clerks of the several counties, and the Auditor of State, assessments of property under the revenue law of 1835.

Mr. Liston presented the petition of J. B. Chapman and others, citizens of Kosciusko county, praying that said county might be attached to the 12th Bank District of the Indiana State Bank;

Which,

On motion of Mr. Liston,

Was referred to the committee on the State Bank, without reading.

Mr. Chamberlain presented the petition of Charles Irvin and others, citizens of the county of Kosciusko, praying the organization of said county;

On motion of Mr. Chamberlain,

Said petition was referred to a select committee, without reading.

Ordered, That Messrs. Chamberlain, Buell, and Smith be that committee.

Mr. Edwards presented the petition of sundry citizens of the county of Jay, praying the organization of said county;

Which was read and referred to a select committee of Messrs. Edwards, Macey, Thompson of A., and Kilgore.

Mr. Curtis presented the petition of Silas Bond and others of Wayne county, praying for a certain state road therein named;

Which,

On motion of Mr. Curtis,

Was referred to a select committee of Messrs. Curtis, Clark of Wayne, and Hubbard, without reading.

Mr. Chamberlain presented the petition of Alphcas Bugbee and others, praying for a certain state road therein named;
Which,

On motion of Mr. Chamberlain,

Was referred to a select committee of Messrs. Chamberlain, Liston, and Davis, without reading.

Mr. Liston presented the petition of Adam Vinneage and others, citizens of the counties of Fulton and Marshall, praying an extension of said counties;

Which was read, and,

On motion of Mr. Liston,

Referred to the same select committee, to which was referred the petition of the citizens of the county of Kosciusko on the same subject.

On motion of Mr. Kilgore,

The orders of the day were dispensed with; and

The House proceeded with the consideration of the report of the select committee appointed to investigate certain charges against Christian C. Nave, a member of this House; when,

Willam Quarles, Esq. concluded the defence to said charges.

Mr. Willett moved to amend the resolution reported by said committee, by striking it out from its resolving clause and insert in lieu thereof the following:

That the committee be discharged from the further consideration of the subject, and that the petitioner have leave to withdraw his complaint.

And the question being put thereon, it was decided in the negative.

And the question then recurring on the adoption of the resolution,
And the ayes and noes being requested thereon,

Those who voted in the affirmative are,

Messrs. Bennett, Chambers, Chiles, Clark of Wayne, Clark of Wash., Craig of P., Collins, Curtis, Edwards, Eggleston, Graham, Gregg, Harrow, Hubbard, Kilgore, Lee of M. and C., Posey, Ray, Ristine, Templeton, Thompson of L., Vawter, Watt, Whitman, and Wilson,—25.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Brown, Bryan, Buell, Carnan, Chamberlain, Craig of M., Cushman, Davis, Dunning, Edmonston, Evans, Gardner, Hannaman, Harris, Howard, Howell, Huckleberry, Jackson, Johnston, Jones, Lee of B., Liston, Macey, Mason, McCarty, Miller, Moore, Morris, Murray, Myers, Phelps, Smith, Stepp, Steele, Storm, Strain, Thompson of A., Thompson of J., Vandever, Walker of D., Willett, Zenor, and Smith, Speaker—45.

And so said resolution was not adopted.

Mr. Brown presented the petition of L. A. Fowler and others, pray-

ing the location of a state road from or near Sherwood's ferry, on the Kankakee, across Robinson's Prairie to the state line in the direction to Chicago;

Which,

On motion of Mr. Brown,

Was referred to the committee on roads, without reading.

Mr. Johnston, from the joint committee on enrolled bills, reported that they compared the enrolled with the engrossed bill which originated in the House of Representatives, entitled as follows, to-wit:

(No. 16)—An act to locate a state road in Dearborn county, from the town of Dillsboro to Aurora.

(No. 18)—An act to establish as a state road the county road from Jasper, via Portersville, and Smith's ferry, on the east fork of White river, to Washington in Daviess county,

(No. 19)—An act to legalize the proceedings of the commissioner of a state road therein named;

And find the same truly enrolled.

Mr. Hannaman from the judiciary committee, to which was referred a resolution on that subject, reported

A bill (No 65), to authorize the appointment of a special county agent;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Watt from the select committee, to which was referred a petition on that subject, reported

A bill (No. 66) to provide for the election of a Justice of the peace in the town of Brownsville;

Which was read the first time and passed to a second reading on to-morrow.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has concurred in the first amendment made by the House of Representatives to the bill of the Senate (No. 15) for the apportionment of Senators and Representatives in the General Assembly of this State, and refused to concur in the second and third amendments.

Mr. Morris moved that the House insist on the 2d and 3d amendments named in said message, in which the Senate refused to concur;

Which was decided in the affirmative; when,

On motion of Mr. Stepp,

Resolved, That a committee of free conference be appointed by this House to act with a similar committee to be appointed on the part of the Senate, to take into consideration the subject matter of difficulty between the two Houses, relative to said bill.

That the Senate be informed thereof and the adoption of a similar resolution on their part requested; and,

Thereupon,

The Speaker appointed Messrs. Buell and Stapp that committee,
Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Brown,

Resolved, That the committee on the affairs of the State Bank be directed to inquire into the propriety of altering the 40th section of the act establishing a State Bank, so as to make each branch an equal recipient of the profits and advantages accruing to such branches as have become the depositories of the funds of the National Government, and so equalize the said profits and advantages as that they may be made proportionate to the liabilities of the several branches.

On motion of Mr. Morris,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the act regulating the duties and jurisdiction of justices of the peace, as to authorize justices to render up judgments against the defendant, where neither the defendant nor plaintiff appear at the trial, the defendant having been lawfully notified of the time and place of trial; also to amend said section by providing that should the defendant appear in the absence of the plaintiff, he should file a plea in abatement, before the justice should be authorized to grant a non-suit; also to revise all justices forms, and to declare them to contain sufficient matter; also to amend the law relative to estrays, (page 9 of the general acts of last session) as to make the bond to be entered into by house-holders payable to some one.

On motion of Mr. Bryan,

Resolved, That the committee on roads be instructed to inquire into the expediency of authorizing the commissioner of the Michigan Road to expend on said road the balance of the Michigan road fund during the year 1836, and if in their opinion, it would be expedient, to report a bill to this House for that purpose.

On motion of Mr. Myers,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of appropriating the sum of one hundred thousand dollars for the improvement of the navigation of the river Wabash, and report by bill or otherwise.

On motion of Mr. Johnston,

Resolved, That a select committee be appointed to inquire into what amendments, if any, are necessary to be made to the act, entitled an act regulating the taking up of animals going estray, and water crafts and other articles of value adrift, app'd Feb. 9, 1831, with leave to report by bill or otherwise.

Ordered, That Messrs. Johnston, Kiigore, and Gregg be that committee.

On motion of Mr. Harris,

Resolved, That the committee on canals and internal improvements, be instructed to inquire into the expediency of constructing a clay turnpike road from Bloomington via Spencer and Bowlinggreen to

Terre Haute, on the Wabash river, in the event the state adopts at this time a general system of internal improvements, with leave to report by bill or otherwise.

On motion of Mr. Zenor,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the act organizing probate courts, as to provide that whenever the sale of the real estate of any decedent shall become necessary for the payment of debts, that the rents and profits thereof for seven years, shall first be exposed to sale as in cases of sales upon execution.

On motion of Mr. Posey,

Resolved, That a select committee be appointed to inquire into the expediency of providing by law for the recording of brands and ear marks, and that said committee report by bill or otherwise.

Ordered, That Messrs. Posey, Watt, and Craig of P. be that committee.

Mr. Craig of P. moved the adoption of the following resolution:

Resolved, That the committee on canals and internal improvements, be instructed to inquire into the expediency of authorizing a survey and estimate of the practicability of a rail or turnpike road from Princeton, Gibson co., via Cynthiana, Posey co., and from thence the nearest and best route to Mount Vernon, on the Ohio river, which if deemed advisable, shall be a part of the report of said committee, in the general system of internal improvements.

On motion of Mr. Miller,

Said resolution was amended by extending the provisions thereof to Petersburg in Pike county;

And then said resolution as amended, was adopted.

On motion of Mr. Buell,

Resolved, That the judiciary committee be instructed to inquire into the expediency of incorporating all the judicial townships in this state, so as to afford a uniform plan of doing township business, and report by bill or otherwise.

Mr. Vawter moved the adoption of the following resolution;

Which was read, and,

On motion of Mr. Kilgore,

Laid on the table.

Resolved, That this House will, on Thursday next at 10 o'clock, A. M., proceed to the election of a Commissioner of the Michigan Road; that the Senate be informed of the adoption of this resolution and requested to adopt a similar resolution on their part, and that be appointed teller on the part of this House.

On motion of Mr. Collins,

Resolved, That the Secretary of State cause a full and complete index to be made to the journal and documents of the present session, and that he be allowed the same compensation as heretofore for similar services.

On motion of Mr. Chamberlain,

Resolved, That the committee of ways and means inquire into the

expediency of providing for the publication of and distribution to certain county officers, of their respective duties in pamphlet form.

On motion of Mr. Hubbard,

Resolved, That the committee on the judiciary be instructed to inquire what amendments, if any, are necessary to laws now in force in this state, relative to regulating weights and measures, and said committee report by bill or otherwise.

On motion of Mr. Hannaman,

Resolved, That the committee on the judiciary be instructed to enquire what amendments, if any, are necessary to the law now in force regulating grist mills and millers, with leave to report by bill or otherwise.

On motion of Mr. Chamberlain,

Resolved, That the committee on the state bank be instructed to enquire into the expediency of attaching the counties of Elkhart, Lagrange, and Kosciusko to the twelfth branch bank district.

On motion of Mr. Miller,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so amending the 26th section of the act regulating the jurisdiction and duties of justices of the peace, so far as relates to the plaintiff amending his declaration or concise statement that he shall not exceed the amount set forth on the back of process, and to report by bill or otherwise.

On motion of Mr. Collins,

Resolved, That the committee on canals and internal improvements be directed to enquire into the expediency of extending the Indianapolis and Jeffersonville rail or turnpike road to New Albany, with leave to report by bill or otherwise.

On motion of Mr. Gregg,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the act relative to foreign attachments as that the process of foreign attachment may reach the real and personal property of foreign corporations or bodies politic in the same manner that the property of all natural persons are made liable by said act who are non-residents of this state.

Mr. Smith moved the adoption of the following resolution:

Resolved, That the committee on roads be instructed to report to this house a bill providing for the appropriation of twenty thousand dollars for the improvement of the Michigan road, and also to provide in said bill that the road shall be districted into as many districts as may be thought proper and convenient, and that a suitable individual be appointed in the bill to superintend the work on the roads and disburse the funds placed in his hands requiring of such individual sufficient security.

Mr. Kilgore moved to amend said resolution so as to expend said sum of money between the towns of Napoleon and Madison on said road;

Which motion was lost.

Mr. Howell moved to amend said resolution by striking out thereof

the words "report to this house a bill," and insert in lieu thereof, "enquire into the expediency of;"

Which motion prevailed.

And the question then recurring on the adoption of said resolution, it was decided in the affirmative.

On motion of Mr. Collins,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so changing the law that it shall not be requisite for the plaintiff to aver and prove a demand of payment of notes, bills of exchange, or other obligations for the payment of money at the bank or other particular place, where such note, bill, or other obligation is or may be made payable, but to allow the defendant or defendants to aver and prove readiness to pay at such place.

On motion of Mr. Macy,

Resolved, That the committee on canals and internal improvements be instructed to enquire into the expediency of authorizing a survey of canal route, if practicable, if not, a survey for a turnpike road from the mouth of Nettle creek in Wayne county, should the White Water canal be so far constructed, and if not, then from the point at which said canal may terminate, *via* New Castle, to intersect the White river canal at or near Andersontown.

Message from the Senate by Mr. Morrison their principal Secretary:
Mr. SPEAKER—

The Senate has passed an engrossed bill (No. 11) to incorporate the Newport Steam Mill Company, in which the concurrence of the House of Representatives is requested; an engrossed bill from the House of Representatives, (No. 6) authorizing Joseph D. Clarke, a minor, to sell real estate, without amendment.

Mr. Jackson, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed joint resolution, which originated in the Senate, of the following title, to wit:

No. 14—A joint resolution authorizing the reception of the state house from the contractor;

And find the same truly enrolled.

Mr. Wilson presented

A joint resolution (No. 67) of the General Assembly of the state of Indiana, suspending for a time the operations of an act to provide for an equitable mode of levying the taxes of this state, approved Feb. 7, 1835;

Which was twice read (the rules of the House having first been dispensed with) when

Mr. Vandever moved to indefinitely postpone the further consideration of said joint resolution;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Brown, Bryan, Buell, Carnan, Carr, Chambers,

Clark of Washington, Collins, Craig of M., Craig of P., Cushman, Davis, Dunning, Evans, Graham, Gregg, Hannaman, Harrow, Howell, Jackson, Johnston, Jones, Lee of Bartholomew, Lee of M. and C., Linton, Macey, Mason, Miller, Moore, Murray, Nave, Posey, Ristine, Stapp, Steele, Storm, Strain, Templeton, Thompson of Johnson, Vandever, Vawter, Walker of D., Whitman, Willett, and Mr. Speaker—46.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Chamberlain, Clark of Wayne, Curtis, Edwards, Eggleston, Gardner, Harris, Howard, Hubbard, Huckleberry, McCarty, Morris, Myers, Phelps, Ray, Smith, Thompson of Allen, Thompson of Lawrence, Watt, Wilson, and Zenor—23.

And so said joint resolution was indefinitely postponed.

The Speaker laid before the House a communication from his Excellency the Governor, on the subject of a survey recommended by the officers of the general government, of a railway from the Maumee Bay to the Rapids of the Illinois river.

And the House adjourned.

WEDNESDAY, Dec. 30, 1833.

The House met.

The speaker laid before the House the annual report of the agent of the State, for the town of Indianapolis;

Which was read, and,

On motion of Mr. Morris,

Referred to the committee on the affairs of the town of Indianapolis.

Mr. Edmonston, presented the petition of B. B. Edmonston and others, praying a state road from New Albany to the mouth of White river.

Which was referred to the committee on canals and internal improvements, without reading.

Mr. Eggleston presented the petition of Elwood Fisher and Josiah Drake of the county of Switzerland on the subject of a rail road;

Which was read, and,

On motion of Mr. Eggleston,

Referred to the committee on canals and internal improvements.

Mr. Smith presented the petition of Miles Mendenhall and others, citizens of the counties of Switzerland and Ripley, on the subject of a turnpike road from Vevay, Switzerland county, to intersect the Michigan road at or near Napoleon; which,

On motion of Mr. Smith,

Was referred to the committee on canals and internal improvements without reading.

Mr. Chamberlain presented the petition of John C. Kinney and others, citizens of Lagrange county, on the subject of a special appropriation out of the 3 per cent fund;

Which was read, and,

On motion of Mr. Chamberlain,
Referred to the standing committee on roads.

Mr. Stapp, from the judiciary committee made the following report:

Mr. SPEAKER—

The judiciary committee to which was referred a resolution to inquire, if any, and what amendments are necessary to the 49th section of an act regulating the jurisdiction and duties of justices of the peace approved Feb. 10th 1831 so as to render the same less doubtful relative to their duties in taking security for costs.

Also to inquire into the expediency of so amending the law respecting bail, as to require the judges of the circuit court in all cases where the party is indicted for stealing, that bail shall not be less than fifty per cent more than the amount set forth in the indictment, and that justices of the peace be governed by the same law in their commitments,

Also to inquire into the expediency of repealing the 7th section of the act to license and regulate taverns and groceries.

Also to inquire into the expediency of repealing so much of the 20th section of the act regulating the duties of justices of the peace, as requires the justice to administer an oath or affirmation to any person or persons appearing before such justice to confess judgment on promissory notes and writings obligatory, that the judgments were not confessed to defraud any of his creditors.

Also the petition of John Longacre, praying to be divorced from his wife Lavina Longacre.

Also the petition of Amelia Willey, praying to be divorced from her husband Alfred Willey;

Have had the same under their consideration, and have instructed me to report that it is inexpedient to legislate further on the said several subjects, and ask to be discharged from the further consideration thereof.

Said committee have also had under their consideration a resolution to inquire into the constitutionality of exempting any property from execution, and have directed me to report that in their opinion that the laws now in force exempting certain articles of property from execution, is enacted in accordance with the provisions of the constitution of the state, and ask to be discharged from the further consideration of that subject.

Which was concurred in by the House.

Mr. Carnan, from the judiciary committee to which was referred

The bill (No. 26) to incorporate the Vincennes Academy, reported the same to the House without amendment, and said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Vawter, from the committee on roads, to which was referred a petition on that subject, reported

A bill (No. 68) authorizing the location of a state road from Troy to Paoli;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Vawter from the committee on roads made the following report:

The committee on roads to which was referred a resolution of this House, instructing the committee to inquire into the expediency of revising the different road laws, so as to bring them into one general system, &c. &c.

Also a resolution directing an inquiry into the expediency of so altering the road law that each supervisor be required to call out the number of hands that may be allotted to him without distinction from time to time, &c. &c.

Also a resolution directing an inquiry into the expediency of defining the time of day hands shall commence working in the morning &c. &c.

Also a resolution directing an inquiry into the propriety of compelling supervisors to be sworn, &c. &c.

Have had the same under consideration, and have directed me to report that legislation on the several subjects and matters in said resolutions is, at this time, inexpedient.

Which was concurred in by the House.

Mr. Dunning, from the select committee, to which was referred a petition on that subject, reported

A bill (No. 69) for the relief of James H. King, recorder of Monroe county;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Eggleston, from the select committee, to which was referred a petition on that subject, reported

A bill (No. 70) to incorporate the town of Vevay;

Which was twice read by its title (the rules of the House having been first dispensed with,) and,

On motion of Mr. Stapp,

Referred to the judiciary committee.

Mr. Craig of M., from the select committee, to which was referred a petition on that subject, reported

A bill (No. 71) declaring a county road leading from Mooresville in Morgan county, to Brite Pruitts farm, a state road, and to change the same so as to make Monrovia a point; and also,

A bill (No. 72) to provide for changing a part of the state road leading from Martinsville in Morgan county, to Danville in Hendricks county;

Which were severally read the first time and passed to a second reading on to-morrow.

On motion of Mr. Willett,

The previous orders of the day, which precede

The bill (No. 52) to incorporate the Madison Water and Manufacturing Company, were for the present postponed, and said bill read a second time, and ordered to be engrossed for a third reading; when,

On motion of Mr. Thompson of L.,

The rules of the House were dispensed with, said bill was read a third time by its title and passed.

Ordered, That the Clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Ray,

The resolution heretofore moved by Mr. Lee (and laid on the table) relative to changing the mode of doing probate business, &c., was taken from the table; when,

Mr. Nave moved to amend the same by striking it out from its resolving clause and insert the following:

That the committee on the judiciary be instructed to report a bill to this House abolishing the present probate system and give to the several circuit judges within this state, full and complete jurisdiction of all matters of probate, both in law and in chancery, by amending an act entitled an act regulating the practice in suits at law, approved Jan. 20, 1831, and also an act regulating the practice in chancery, approved February 10th, 1831, and give said circuit courts three terms.

Mr. Chamberlain moved to amend said proposed amendment by striking it out from its resolving clause and insert in lieu thereof the following:

That the committee on the judiciary be instructed to inquire into the expediency of so altering the judiciary system of this state as to give the circuit court jurisdiction in all cases in which the probate court now has jurisdiction, and to abolish the probate court, and to increase the number of terms of the circuit court to 3 or 4 terms annually, whichever said committee may think most advisable, and to lessen the extent of the several circuits, and to increase the number thereof in such manner as to said committee may seem advisable, and to set apart one or more of the terms of the courts for the purpose of making up issues and preparing causes for trial without requiring at such term or terms, the attendance of parties, witnesses or jurors, excepting grand jurors and witnesses required to appear before them, in case said committee should deem it most advisable that grand juries should sit at the term or terms set apart for making up issues, &c., and of so organizing the courts in all respects in conformity with this system as shall best subserve the interest of the people and secure in them ample and speedy justice, with leave to report by bill or otherwise.

Which motion did not prevail.

And the question was then put on the amendment of Mr. Nave to said resolution, and decided in the negative.

Mr. Evans then moved to amend said resolution by striking it out from its resolving clause and insert in lieu thereof the following:

That the judiciary committee be directed to inquire into the expediency of abolishing the present probate system and establishing a circuit probate with an adequate salary for the judges thereof, and of appointing a master in chancery in each county;

Which amendment was adopted; and,

The question then recurring on the adoption of said resolution, was decided in the affirmative.

On motion of Mr. Vandever,.

Resolved, That the committee of ways and means be instructed to report to this House a bill to carry into effect an equitable mode of assessing and collecting the state and county revenue; and further to repeal all laws contravening the same, that was in force prior to the year 1834-5.

On motion of Mr. Graham,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of providing for a survey and estimate of the cost of a construction of a canal from White river canal, at or near the junction of the east and west forks of White river, via Boonesville to the Ohio river, at or near the mouth of Cypress creek in Warren county, and if by the committee deemed expedient, to provide that the surveys, &c., be made the ensuing summer.

On motion of Mr. Nave,

Resolved, That the judiciary committee be instructed to inquire into the expediency of appointing some suitable person, skilled in the law, a commissioner to arrange, condense, and prepare for publication, the common and statute laws now in force in this state; the subjects to be arranged in alphabetical order, after the same manner as the best law digests, with leave to report by bill or otherwise.

On motion of Mr. Liston,

Resolved, That a select committee be instructed to inquire into the expediency of memorializing the Congress of the United States for a grant of an alternate section of land on the line of a contemplated canal connecting the Wabash and Erie Canal at or near Fort Wayne, thence running in a north west direction to intersect the Big St. Joseph river at South Bend, and thence to run on the best route to Lake Michigan, at or near Michigan City.

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the law of this state relative to exempting property from execution, that when hereafter any execution shall issue from the judgment of any justice of the peace in this state, and if the execution defendant shall claim as exempt from execution any property he shall make oath to the same and file a list thereof before the justice from whose office such execution issued if required so to do, by the officer having [such execution], with leave to report by bill.

On motion of Mr. Evans,

Resolved, That the judiciary committee be instructed to inquire into the expediency of increasing the terms of the circuit court to three terms in each year, with leave to report by bill or otherwise.

Mr. Clark of Washington moved the following resolution:

Resolved, That his Excellency the Governor be requested to lay or cause to be laid before this House at as early a day as practicable during the present session, a detailed report, exhibiting the liabilities of the state for loans effected, for canalling, for public buildings, for banking purposes, and for expenses incurred for surveys and estimates, and taking releases, &c., under the provisions of an act entitled an act to provide for the further prosecution of the Wabash and Erie Canal and other purposes, approved February 6, 1835; each item to be arranged under its proper head.

Mr. Smith moved to amend said resolution, by adding thereto the following:

Also showing the probable liabilities of the state after the funds set apart for the construction of the Wabash and Erie Canal shall have been exhausted; when,

On motion of Mr. McCarty,

Said resolution and proposed amendment were laid on the table.

A Message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate continue to disagree to the 2d and 3d amendments of the House of Representatives to the engrossed bill of the Senate (No. 15) for the apportionment of Senators and Representatives in the General Assembly of this state, and have appointed Messrs. Puett and Morgan a committee of free conference on the part of the Senate, to take into consideration, in conjunction with the committee on the part of the House of Representatives, the disagreement of the two Houses on said bill.

Mr. Liston presented

A bill (No. 73) to empower Alexis Coquillard and others to drain off the water of the Kankakee ponds;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Liston also presented

A bill (No. 74) to incorporate the Laporte canal and rail road company;

Which was twice read by its title (the rules of the House having been first dispensed with) and,

On motion of Mr. Dunning,

Referred to the committee on the judiciary.

Mr. Mason presented

A bill (No. 75) concerning guardians;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Carnan presented

A bill (No 76) to incorporate the Evansville and Vincennes rail road company;

Which was read the first time by its title and passed to a second reading; when,

On motion of Mr. Willett,

Said bill was read a second time by its title and committed to the committee on the judiciary.

Mr. Chamberlain presented

A bill (No. 77) to amend an act entitled an act to encourage the killing of wolves, app'd. Feb. 10, 1831;

Which was read the first time and passed to a second reading; when,

On motion of Mr. Howell,

Said bill was read a second time by its title and committed to a committee of the whole and made the special order of the day for Saturday next.

Mr. Harris presented

A bill (No. 78) amendatory of an act relative to county seminaries, approved Feb. 4, 1831;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Johnston, from the joint committee on enrolled bills, reported that they did on this day present to his Excellency the Governor for his approval and signature, bills which originated in the House of Representatives, of the following titles, to-wit:

No. 13.—An act to establish as a state road the county road from Jasper via Portersville and Smith's ferry on the east fork of White river, to Washington in Daviess county,

(No. 16)—An act to locate a state road in Dearborn county, from the town of Dillsboro to Aurora.

No. 19.—An act to legalize the proceedings of the commissioner of a state road therein named;

No. 5.—A joint resolution relative to the payment of postage;

And also that they did on this day present to his Excellency the Governor for his approval and signature, a joint resolution, which originated in the Senate of the following title, to-wit:

No. 14.—A joint resolution authorizing the reception of the state house from the contractor;

Mr. Brown presented

A bill (No. 79) to amend an act entitled an act to establish a state road from Bedford in Lawrence county, via Washington in Daviess county, to the Rapids of the Wabash river at or near the mouth of White river, app'd. Jan. 20, 1834;

Which was read the first time, and passed to a second reading on tomorrow.

Mr. Lee of B. presented

A bill (No. 80) to amend an act entitled an act to amend an act to regulate the mode of doing county business in this state, app'd. Feb. 7, 1835;

Which was read the first time, and passed to a second reading on tomorrow.

And the House adjourned.

2 o'clock, P. M.

The House met.

The Speaker laid before the House the annual report of the Commissioners of the Sinking Fund;

Which was read and referred to the committee on the State Bank, and ordered to be printed.

The Speaker laid before the House the report of the Auditor of Public Accounts on the subject of the assessments under the ad valorem act.

Which was read and referred to the committee of ways and means.

Mr. Vandever moved that 2000 copies of said bill and report each be printed;

Which motion was lost.

1500 was named; which did not prevail; and,

1200 was also named;

And on the question being put thereon, was decided in the affirmative.

Mr. Thompson of L., from the committee on the State Bank, to which was referred sundry resolutions, made the following report:

The committee on the State Bank, to whom have been referred the reports of the several Branches, together with sundry other documents in relation thereto, have had the same, and all other matters submitted to them, under consideration, and have directed me to report:

The reports from the several Branches of the State Bank, and the other documents referred to the committee, have been attentively examined, in order to ascertain the operations of the Bank since its original institution, and it gives the committee much satisfaction to report that it exists in a more safe and prosperous condition, than could have been anticipated by its friends. These reports and an examination of the books of the Parent Board, together with the efficient assistance of the officers, have given the committee the most satisfactory knowledge of the condition of each Branch; and the committee is enabled to afford to the House, the assurance that so far at least, public confidence has not been misplaced.

The business of the past year has gradually increased with the prosperous activity and growth of our State, and the Banks have been enabled to sustain a much larger circulation than was expected.

Since the report of the President of the State Bank to the last General Assembly, the amount of circulation is as follows:

February 1, 1835,	-	-	-	-	\$656,545
March	"	-	-	-	753,415
April	"	-	-	-	831,705
May	"	-	-	-	997,475

June	"	-	-	-	-	1,131,240
July	"	-	-	-	-	1,186,795
August	"	-	-	-	-	1,311,320
September	"	-	-	-	-	1,343,555
October	"	-	-	-	-	1,422,835
November	"	-	-	-	-	1,616,290

This progressive increase of circulation has given capitalists abroad, the most entire confidence in the institution,—and its paper is now sought for with as much anxiety in the neighboring States, and in the eastern and southern cities, as the paper of any other western State Bank. It may be considered as an evidence of the favorable manner in which it is regarded by those who have directly participated in the use of its capital. Pressures in the money market, which were of common occurrence when we were dependant upon other States, for a circulating medium, have been removed, and the characteristic enterprise of our citizens has received an additional stimulus from the facilities to our commercial intercourse, afforded by the Bank. So great, indeed, has been the demand for money, that, at several periods during the past year, many of the Branches were unable to accommodate their customers. This has driven the paper to a distance from the Banks, and has thrown much foreign paper on deposit among the Branches, and at the same time confined the issues of paper to their aggregate credits or liabilities; no single branch having gone beyond its debts or means, as restricted by the charter.

Although the Bank has not been sufficiently long in existence, to develop the precise character of its debts, yet the combined operation of the many causes which have tended to give a character to its business, justify the belief that loans have been made, consistently with the interest and safety of the institution and the public. As the most of the loans, however, (as they ever must be to secure successful banking operations,) have been for the purpose of affording facilities for the exchange of the various commodities of the country, and have been consequently thrown into the hands of men whose interest it is to sustain the institution, there is nothing to apprehend from that source. The very facilities which are afforded by the Bank, make the means of ultimate payment more secure and afford the most abundant promise of punctuality.

It is not in the nature of commercial transactions that any system of credit should be placed entirely beyond the reach of hazard, yet the constantly increasing wealth of our State, would be embarrassed without the use of banks and a currency of paper. It is not difficult to perceive how intimately connected, are the operations of trade and industry and the consequent developement of the natural resources of a country, and the business transactions of a bank. So interwoven is this connexion, that business of every kind, becomes active and prosperous where banks are so, and depressed where they are the opposite.

After this general view of the matter referred them, the committee will lay before the House, the several propositions which have been made to them, in behalf of the State Bank and Branches, for amendments to the present charter:

1. It is asked, to vest power in the *Parent Board*, to increase the capital of the Branches to \$250,000. It will be perceived that, by the charter, each Branch can apply, separately, to the Legislature for an increase of capital by individual subscription; yet the committee conceive that this power should be vested in the Parent Board, and that the increase of capital in each Branch, to the sum of 250,000 dollars, should depend upon the exercise of the sound discretion of that Board. The committee are justified in this conclusion from several considerations; 1st. the discretion already reposed in that Board, by the charter, has been exercised in a manner highly satisfactory to the public, and entirely calculated to remove those doubts, which, at the commencement of our banking operations, clouded the prospects of the institution. 2d, because the State Board can more correctly than the Legislature, judge what Branches ought to have an increase of capital and when, and to what extent that increase should be granted. 3d, because, in a very short time, many of the Branches must be increased to a much larger capital than at present, in order to supply both agricultural and commercial necessities, while other Branches will not, in all probability, demand so large an increase.

2. It is asked, (and this is the most important amendment submitted to the consideration of the committee,) that power be vested in the *Parent Board*, to permit the Branches to discount to an average of *two and a half* times the capital paid in, retaining the *issue of paper*, as at present, two for one. The committee think that this privilege can be safely granted, as the charter reposes in the Parent Board the power to restrict discounts as low as *one and a quarter* the capital paid in whenever it may be deemed necessary. This power will, of course, be retained, and the excess, of issues over the *two*, as provided in the charter, will, consequently, be upon deposits. The Branches can with ease, have debts due them, to twice the amount of capital paid in, without one dollar of deposits, either public or private: leaving deposits, both public and private, in the vaults of the Branches, as dead useless capital, either to the Branches, the public, or the depositors;—and also leaving the surplus fund, which now amounts to \$36,000, but will in a year or two be increased to \$100,000, in the same condition.

In all banks not restricted as the Banks of Indiana are by the present charter, the average deposits are considered as much capital, upon which to predicate the *issue of paper*, as that paid in by stockholders on their stock. Other State Banks, of small capital, have no restriction whatever as to debts due to or from them. They are independent and controlled by no power but their own discretion and public opinion—the first acting for the public good, and the latter the surest guarantee against oppression. The Legislature of Illinois at its last session, chartered a bank with branches, all of which commen-

ced operations during the past summer. Her charter is a liberal one, her issues of paper can go to *two and one half the capital paid in*, and debts due to her can go to three for one; and her stock has been quoted at six per cent. advance, in the eastern cities. The committee conceive that there is possessed, in Indiana, as much financial knowledge and as much honesty of purpose, as citizens of other states, but, for the permanent and undoubted safety of our banking operations, they would not be willing to extend to the Banks of our State the almost unqualified privileges of the Illinois charter. This, however, is not solicited by the State Bank or Branches, and should it even be granted, it is not likely that the Branches would assent to it—each being, by the charter, mutually accountable for the other. It is only asked to so amend the charter, as to enable our Banks to operate in a usual business manner and on a usual business scale, retaining every restriction which an entire regard to the safety and character of the institution may require. It is asked to permit the Branches to loan deposits,—that power to be restricted to *one half* the amount of capital paid in, and this, only by permission of the Parent Board.

The committee conceive that this privilege should be granted. That the required permission will not be given, except under such restrictions as will make it entirely safe, the committee think they are authorized in concluding by the course of conduct which has been pursued by the State Board from the establishment of our Bank. The committee are of opinion that this privilege will be nothing more than engrafting to a very limited extent, the principles of *saving institutions*—so justly popular wherever they exist; and feel assured that it will not of course, be extended to the Branches, except to operate on the lowest average deposits, including the surplus fund. If, in the current course of business, a Branch may not have an average of deposits high enough to justify her in extending to the *one half*, there is no doubt but she will pay a small interest, say three or four per cent. This is now authorized by the 21st sec. of the charter, which will, at all times, insure a sufficiency.

The banks in Louisville, Cincinnati, Baltimore, Philadelphia, and New York, pay an interest of four per cent. on deposits. The Indiana Canal Fund is now deposited in the Merchants' Bank of N. Y., at an interest of four per cent. per annum, by which arrangement the use of this amount is lost to the citizens of this State, and used to the advantage of the citizens of New York and the stockholders of that Bank. Were the Branches of our Bank permitted to use this fund, they could readily afford to pay the four per cent., thereby making a clear profit of two per cent. and afford the citizens of Indiana greater banking facilities, as well as the Commissioners of that Fund more extensive opportunities of transmission. There are, besides, many instances of our own citizens leaving money on deposit in Cincinnati and Louisville, at an interest of four per cent. per annum;—preferring their money to lie at a small interest, in the vaults of a safe and secure banking institution, from whence they can at any time draw it, rather than loaning it,

out at a higher interest, where a certainty of being enabled to realize it, when wanted, could not exist.

The amount of individual deposits, in the several Branches, has gradually increased, from a very small sum, to \$470,000,—that being the amount as reported to the State Board on the 12th December, 1835. The increase has been in a rapid but very regular ratio, and there is every reason to believe, that it will so continue. The committee are uninformed of any profitable results, either to the banks or to the depositors, which can possibly result from so large an amount of capital lying idle in the vaults of a Bank.

The following are the amounts of individual deposits in the several Branches, since the report of the President, to the last General Assembly:

February 1, 1835,	-	-	-	-	\$185,163
March, “	-	-	-	-	186,191
April, “	-	-	-	-	183,786
May, “	-	-	-	-	191,105
June, “	-	-	-	-	210,814
July, “	-	-	-	-	306,673
August, “	-	-	-	-	322,378
September, “	-	-	-	-	312,673
October, “	-	-	-	-	322,407
November, “	-	-	-	-	422,433
December 12,	-	-	-	-	470,000

The profits of a Bank arise principally from interest received on loans, and are consequently restricted where a bank is prevented from using deposits. When a deposit is made, the party making it either receives it in the notes of that or some other Bank, or is credited with the amount,—consequently he has always a surety of its safety and his right to withdraw the whole amount at any time. The notes of the Bank and the credits, therefore, arise equally from deposits, and since the Bank is, in all cases, liable for each, the *aggregate* amount should constitute the circulating medium. The officers of all Banks are taught by experience, what portion of these deposits may be safely loaned, or how far they may extend their discounts beyond the capital paid in as well as what amount of specie should be retained in their vaults. Though liable to be withdrawn at any time, experience has settled the fact, that “money so much oftener changes proprietors than place,” and that whatever amount is subtracted from the vaults of a Bank, is so speedily replaced, as safely to regard deposits as an *effective fund*, which, concurring with the stock of the Bank, enables it to extend its loans, and to answer all demands against it, whether occurring from the amount of discounts or drafts upon its vaults.

The public deposits in the Branches, at this time, amount to about \$1,000,000. This fund remains in the vaults of the Branches, under a pledge of security, useless and without value to the Branches or the

citizens of Indiana; whereas, in other States, the deposit Banks operate *largely* thereon,—affording additional facilities to their citizens and profit to themselves. It is true, but a small portion of this fund ought to be used, but at present, no part of it can.

It is highly probable the present Congress will pass some law in relation to the public deposits, by which the deposit Banks will be compelled to pay a small interest thereon, after the same may amount to a given sum. If so, the Branches must at once reject them (unless as the committee conceive, the privilege asked for is given.) They will then be sent to Cincinnati and Louisville, where the deposit Banks, under their charters, can afford to pay the interest required, and where the fund will be loaned at a profit to the Banks and the public contiguous to them, and within their banking influence. Why should not our *own* Banks and our *own* citizens derive those advantages? The committee can conceive of no good reason, especially as the money arises from the sale of lands within the territorial borders of our *own* State.

If the Branches should be compelled to reject the deposits, the committee think they are authorized in anticipating another evil. The deposit banks of Cincinnati and Louisville will *not* receive the paper of the Indiana Banks, through the Receivers of Public Moneys, unless the Branches negotiate arrangements with them to *redeem* their notes, *monthly*, at their counters;—thereby making our Branches tributary to those Banks, and operating as a powerful drain upon the circulating medium of the State.

It has, in the conception of the committee, been truly said, that our charter was made, rather for the security of the bill holder than the benefit of the stockholder. If something in the character of the amendments asked for, should not be granted, the committee think that the stock must prove unprofitable to its holders, (which includes the State,) and they perceive reasons to fear that the individual stock may fall into the hands of men who may abuse the very few powers already given. Surely it is not impolitic to leave something to the discretion of the Parent Board and the Directors of the Branches. They are selected from the most prudent, responsible and intelligent class, and are sworn to do their duty. If any loss occur, it comes out of the individual stockholders, and in certain cases, the Directors of the Branches are made individually responsible for their acts. The Branches report their condition to the Parent Board, every two weeks, and by the *fortieth* and *forty-fourth* sections of the charter, full power is vested in the State Board, to suspend *instantly* any Branch, or to finally stop them and close up their concerns. This Board is composed of men of experience and character, who will, undoubtedly, exercise the powers vested in them, whenever the measures of a Branch may point towards improper conduct, whereby her credit or that of others may be endangered.

It is believed that Indiana affords as fine a field for banking operations on a limited scale, as any other state in the Union. Our citizens are, comparatively, out of debt. Our resources are extensive, and ra-

pidly increasing. There is every prospect of a large accession of capital, through the projects of the system of Internal Improvement, now contemplated. Our Banks are connected by ties of mutual interest and responsibility, and are interested in supporting the credit and character of each other. In this commendable feature, our Banks are peculiar. Such is not the case in other states, where Banks are independent—have no community of interest, and are regardless of the credit of each other.

Banks with large capitals are sometimes restricted—often not.—They are located in cities, where they can make but little or nothing in the circulation of their notes;—their profits arising, almost exclusively from foreign and domestic bills of exchange—dealing in bullion and foreign coin—loaning their capital and deposits.

Our banking capital is very small, in comparison with that of other states. When our whole capital is paid in, it will be but \$600,000 more than the smallest bank in the city of Cincinnati, (being now about equal) while the whole banking capital of Ohio, is, at this time, about \$12,000,000, and that of Kentucky about the same. In this state, our Banks can easily keep out the whole of the paper they are authorized to issue, that not amounting to more than *one-half* the circulating capital of the state; as is partially evidenced from the fact that four-fifths (there being \$571,033) of the paper in possession of the Branches is the issue of foreign Banks. These difficulties would be removed, and the circulating medium of the state would be the issues of our own Banks, was our capital extended to *four or five* millions of dollars.

It is asked to permit the branches to extend their issues to an average of *two and a half*. There are many reasons in the conception of the committee, why this should be granted. In the fall and winter months much larger sums of money are wanted than at any other season of the year, (such, at least, has as yet been the case) particularly for operations in pork. These sums are usually raised by bills of exchange on New-Orleans, New-York and Baltimore, which bills fall due and are paid in the spring and beginning of summer—thereby reducing, suddenly and greatly, the discounts. At this season of the year the demand for money is limited. Therefore, if permission was given to go, during the fall and winter months, beyond the *two and a half*, as much as, during the spring and the beginning of the summer months, they go back, so as to make the *annual average* two and a half and no more, the privilege would be greatly to the advantage, both of the branches and the public. Whereas, if they are kept to the rigid *two* or *two and a half*, they will be compelled to keep their discounts up, at all times, to their limit, in order to clear six per cent. after the payment of expenses. It is found much to the advantage of the community to run down the amount of discounts, at some seasons of the year, so that, at other seasons, the same may be increased. But, at present, the branches must, for the reasons above stated, keep up, at all times, their limit. The propriety of this power, the committee therefore think, must be perceptible.

It is asked to make the extension prayed for, *exclusive of cash balan-*

ces and deposits in other banks and branches;—that is, when one branch has cash deposited in another bank, it shall not be considered a debt due, in contemplation of the charter. This, the committee think, is already so. Among all financial business men, deposits in banks are considered not as debts due them, but as cash. Without this, the banks could not exist—but to silence cavil and misinterpretation the committee perceive its entire plausibility.

Under these views of the important considerations presented to the committee, they have instructed me to report a bill amendatory of an act entitled “an act establishing a State Bank,” approved January 28th, 1834, in accordance with the propositions submitted to the committee, which, at the last session of the Parent Board, were unanimously recommended to the favorable consideration of the Legislature.

The bill (No. 81) named in said report, amendatory of an act entitled an act establishing a State Bank, app’d. Jan. 28, 1834, was read the first time; when,

On motion of Mr. Howell,

The rules of the House were dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Liston,

Committed to a committee of the whole and made the order of the day for to-morrow.

The message from the Senate on yesterday, was taken up, and the

Bill (No. 11) of the Senate named in said message, to incorporate the Newport Steam Mill Company;

Which was read the first time and passed to a second reading; when,

On motion of Mr. Morris,

Said bill was read a second time by its title and committed to the judiciary committee.

The House then proceeded to consider the orders of the day.

The bill (No. 31) to legalize the sale of the west half of the public square in the town of New Castle, was read a second time and passed to a third reading on to-morrow.

The bill (No. 32) to amend an act entitled an act regulating divorces, approved Jan. 17, 1831, was read a second time and committed to a committee of the whole and made the order of the day on to-morrow.

On motion of Mr. Willett,

The vote taken to-day on the printing 1200 copies of the report of Mr. Thompson of L., on the subject of the State Bank; and also of the bill named in said report (No. 31) amendatory of an act entitled an act establishing a State Bank, approved January 28th, 1834, was re-considered.

Mr. Willett called for a division of the question; and,

The question was then put on the first branch of the motion to print, to-wit:

On printing 1200 copies of the bill, and was decided in the negative.

500 was named and decided in the negative.

400 was also named, which did not prevail.

200 was then named;

And the question being put thereon, it was decided in the affirmative.

The question then recurred on printing 1200 copies of said report and was negatived.

500 copies was also named, and decided in the negative.

400 was named;

Which motion was lost; when,

200 was proposed;

And on the question being put thereon, was decided in the affirmative.

The bill (No. 33) to amend an act entitled an act directing the mode of suing out writs of Habeas corpus, app'd. Jan. 12, 1828, was read the second time, and,

On motion of Mr. Willett,

Committed to a committee of the whole, and made the order of the day on to-morrow.

The bill (No. 34) concerning the reserved township of seminary lands in Monroe county, was read the second time and ordered to be engrossed for a third reading on to-morrow.

The bill (No. 35) to locate a state road from South Bend, in the direction of Bertrand, was read a second and third times, (the rules of the House having first been dispensed with) and passed.

Ordered, That the Clerk carry it to the Senate and ask their concurrence therein.

The bill (No. 36) to locate a state road from Portage Point to the state line, was read the second and third times by its title and passed (the rules of the House having first been dispensed with.)

Ordered, That the Clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Eggleston,

The House then resolved itself into a committee of the whole on

The bill (No. 33) to amend an act entitled an act directing the mode of suing out writs of habeas corpus, app'd. January 12, 1828;

And after some time spent therein,

The Speaker resumed the Chair, and,

Mr. McCarty reported said bill with two amendments;

Which were read and concurred in by the House.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Brown,

Said bill was considered as engrossed and read a third time by the title and passed, (the rules of the House having first been dispensed with.)

Ordered, That the Clerk carry it to the Senate and ask their concurrence therein.

The House then resolved itself into a committee of the whole on

The bill (No. 32) to amend an act regulating divorces, approved January 17, 1831;
 And after some time spent therein,
 The Speaker resumed the Chair, and,
 Mr. Vawter reported said bill to the House with one amendment;
 Which was read and concurred in; when,
 Mr. Harris moved to indefinitely postpone the further consideration of said bill,
 And before the question was put thereon,
 The House adjourned.

THURSDAY, DECEMBER 31, 1835.

The House met.

The Speaker laid before the House a communication, from his excellency the Governor, on the subject of certain riots on the line of the Wabash and Erie Canal;

Which was read, when

Mr. Thompson of A. moved to refer it to a select committee;

Which motion was lost.

Mr. Stapp then moved to refer the same to the committee on claims;

Which motion was decided in the affirmative.

Mr. Collins presented the petition of Matthew Robinson and others, citizens of Floyd county, on the subject of a general system of internal improvements;

Which was read, and,

On motion of Mr. Collins,

Referred to the committee on canals and internal improvements.

Mr. Morris presented the petition of Andrew Hoover and others, citizens of Marion county, praying the location of a certain state road therein named; which,

On motion of Mr. Morris,

Was referred to a select committee without reading.

Ordered, That Messrs. Morris, Thompson of J., and Hannaman be that committee.

Mr. Walker of D. presented the petition of Jacob Harwood and others, praying the location of a state road in Dearborn county; which,

On motion of Mr. Walker of D.,

Was referred to a select committee without reading.

Ordered, That Messrs. Walker of D., Gregg, and Howard be that committee.

Mr. Phelps presented the petition of the corporation of the town of Leavenworth, praying an act authorizing the election of a justice of the peace in said town, to serve as president of the corporation thereof;

Which was read, and,

On motion of Mr. Phelps,
Referred to a select committee.

Ordered, That Messrs. Phelps, Howell, and Edmonston be that committee.

Mr. Jackson, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bill which originated in the House of Representatives of the following title, to-wit:

No. 6—An act authorizing Joseph D. Clark, a minor, to sell real estate.

And find the same truly enrolled.

Mr. Liston presented the petition of Robert Wallace and others, citizens of the territory north of the Kankakee river, and west of LaPorte county, praying that said territory may be attached to the county of Porter; which was,

On motion of Mr. Liston,
Referred to a select committee without reading.

Ordered, That Messrs. Liston, Chamberlain, Buell, and M'Carty be that committee

Mr. Dunning presented the petition of James N. Ellis and others, citizens of township eight, in Monroe county, praying an act authorizing the sale of the north half of section 16, township 18 north, of range 2 west; which was,

On motion of Mr. Dunning,
Referred to a select committee without reading.

Ordered, That Messrs. Dunning, Moore, and Vandever be that committee.

Mr. Phelps presented the petition of J. Edwards and others, citizens of Crawford county, praying a state road from New Albany, *via* Corydon, Leavenworth, Jasper, and Petersburg, to the mouth of White river, opposite Mt. Carmel in Illinois;

Which was read and referred to the standing committee on canals and internal improvements.

Mr. Chamberlain, from the select committee to which was referred a petition on that subject, reported

A bill (No. 83) for the establishment of a state road from Mishawaka in St. Joseph county in a north eastern direction to the state line

Which was read the first time, and passed to a second reading on tomorrow.

Mr. Liston from the select committee, to which was referred a petition on that subject, made the following report:

The select committee to which was referred the petition of Charles H. Paine, praying to set aside the sale of certain Michigan road lands, which were sold at Chippewa, on the 15th of September last, by virtue of an act of the Legislature of this State, have had the same under consideration and have directed me to report, that they have given the subject a proper investigation, and the committee are happy to say that the Commissioner of the Michigan Road, in the sale of said lands,

has guarded the public interest in a manner highly commendable, and therefore recommend the adoption of the following joint resolution:

Be it enacted by the General Assembly of the State of Indiana: That the Michigan road lands, sold at Chippewa, on the 15th of September last, by the commissioner of said road, be considered in all things valid, and that said sales are hereby confirmed.

The joint resolution (No. 82) named in said report, confirming the sale of certain Michigan road lands,

Was read the first time, and passed to a second reading on to-morrow.

Mr. Chamberlain from the select committee to which was referred Bill (No. 40) for the establishment of a certain state road therein named, reported the same to the House without amendment; when,

On motion of Mr. Chamberlain,

It was ordered to be engrossed for a third reading on to-morrow.

Mr. Liston from the select committee, to which was referred a petition on that subject, reported

A bill (No. 84) to organize the county of Marshall;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Armstrong from the select committee, to which was referred a petition on that subject, reported

A bill (No. 85) to establish a state road from Providence in Clark county, to Greenville in Floyd county;

Which was read the first time, and passed to a second reading on to-morrow.

On motion of Mr. Howell,

The vote taken some days since, on referring

The bill (No. 62) authorizing a loan for the improvement of state roads, and pledging the three per cent fund for the payment thereof, to a committee of the whole, was re-considered,

And the question being put on said reference, was decided in the negative; when,

On motion of Mr. Howell,

Said bill was referred to the standing committee on canals and internal improvements,

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed engrossed bills of the following titles, to-wit:

No. 18—An act to amend an act approved February 2d, 1833, entitled an act to amend an act entitled an act regulating the interest of money in the State of Indiana, app'd. Feb. 1, 1831.

No. 20—An act to incorporate the Perrysville and Danville Rail Road Company;

In which bills, the concurrence of the House of Representatives is requested.

The engrossed bill of the Senate,

No. 18—named in said message, to amend an act approved February 2, 1833, entitled an act to amend an act entitled an act regulating the interest on money in the State of Indiana, app'd. Feb. 1st, 1831, was read the first time and passed to a second reading.

The engrossed bill of the Senate,

No. 20—named in said message, to incorporate the Danville and Perrysville Rail Road Company,

Was twice read by its title (the rules of the House having been first dispensed with) and,

On motion of Mr. Evans,

Referred to the standing committee on the judiciary.

On motion of Mr. Carnan,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the act regulating the practice in chancery, as to enable said courts to take proof *viva voce*, of all matters in question before them, in all cases where the parties may so agree; and that said committee be further instructed to inquire into the expediency of further amending said act, so as to enable parties to take testimony *viva voce*, in all cases where it is now necessary to file bills of discovery.

On motion of Mr. Moore,

Resolved, That a select committee be appointed to inquire into the expediency of amending the law relative to marks, so as to make it the duty of the county recorder to record the same mark twice where persons so marking, live in different townships.

Ordered, That Messrs. Moore, Bennett, and Armstrong be that committee.

On motion of Mr. Hannaman,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law regulating trials of the right of property, as to require the claimant to give security for the payment of all cost occasioned by such trial in case of failure to establish such claim.

Mr. Davis moved the adoption of the following resolution:

Resolved, That the committee of ways and means be instructed to inquire into the expediency of so changing the ad valorem system of taxation, as to abolish a poll tax;

Which,

On motion of Mr. Storm,

Was indefinitely postponed.

On motion of Mr. Howell,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of authorizing a clay turn-pike road, to be made from Rockport *via* Jasper and Portersville, to Washington, (on the same terms that other works of a similar kind are asked for) and report by bill or otherwise.

On motion of Mr. Macey,

Resolved, That the committee on education be instructed to inquire into the expediency of repealing the second section of an act approved Feb. 7, 1835, entitled an act regulating congressional townships, and providing for public schools.

On motion of Mr. Clark of Washington,

Resolved, That the committee of ways and means be instructed to inquire into the propriety of appropriating _____ dollars for the purpose of relieving the suffering poor in the city of New York, who have lost their houses and property by fire in the late destruction by that element of a large portion of the city.

On motion of Mr. Craig of M.,

Resolved, That the committee of ways and means be requested to inquire into the expediency of repealing so much of the late revenue law, as makes it the duty of assessors in assessing lands to commence on the lowest numbered section in the township, and proceed to the highest, and to provide by law that assessors' districts shall be bounded by section and township lines, and that the names of persons chargeable with tax shall be returned in alphabetical form, and to abolish road tax on real estate, and report by bill or otherwise.

On motion of Mr. Miller,

Resolved, That the committee on roads be instructed to inquire into the propriety of so amending the road law, as to permit the change of any county or state road being authorized on petition, by the courts, in all cases when the number remonstrating against the same shall exceed the number praying for such change.

On motion of Mr. Jones,

Resolved, That the judiciary committee be instructed to inquire into the expediency of transferring the county business in the respective counties, to the oldest magistrate in each township, and making it the duty of said magistrates to attend at the respective court houses at the times appointed by law, for doing county business, and there attend to said business according to law, and report by bill or otherwise.

On motion of Mr. Myers,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law relative to landlord's warrants, that in any suit brought for the rent of the premises, the landlord shall not be required to trace and make out a clear and full title as in an action of ejectment, but that the fact of his having rented the premises, and being the owner by reputation, shall be deemed sufficient to entitle him to recover.

On motion of Mr. Armstrong,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the propriety of adopting the route selected by the Salem and Ohio Turnpike Company, from Salem to the Ohio river, as the route in part, of the contemplated improvement from Crawfordsville via Bedford and Salem, to the Ohio river.

On motion of Mr. Gregg,

Resolved, That the committee of ways and means be instructed to in-

quire into the expediency of so amending the 28th section of the act of last session, providing for an equitable mode of levying taxes in this state, as that the pay of assessors be fixed at a certain *per-diem* allowance, to be paid out of the county treasury, on the order of the board doing county business.

On motion of Mr. Liston,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of establishing courts of quarter sessions in each county, distinct from the circuit court, to be holden by the associate judges, which courts shall have exclusive jurisdiction, with the right of appeal to the circuit court in all criminal offences and petit misdemeanors, except treason, murder, manslaughter, burglary, robbery, grand larceny, and perjury, with leave to report by bill or otherwise.

Mr. Liston presented

A bill [No. 86] to locate a state road from the Michigan road in the direction of New Buffalo;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Liston presented

A bill [No. 87] to incorporate the Northern Insurance Company of the State of Indiana;

Which was twice read by its title, (the rules of the House having first been dispensed with) and,

On motion of Mr. Hannaman,

Referred to the standing committee on the judiciary.

Mr. Nave presented

A bill (No. 88) to give the circuit court of Hendricks county jurisdiction in a certain case;

Which was twice read, (the rules of the House being dispensed with) and ordered to be engrossed for a third reading on to-morrow.

And the House adjourned.

2 o'clock, P. M.

The House met.

The House then proceeded to consider the orders of the day; when, The question on the indefinite postponement of

The bill (No. 32) to amend an act entitled an act regulating divorces, approved January 17, 1831, pending when the House adjourned on yesterday evening, was put and decided in the negative.

Mr. Willett then moved to re-commit said bill to the judiciary committee;

Which motion did not prevail; when,

On motion of Mr. Stapp,

Said bill was amended by striking out thereof the word "adultery."

And the question then recurring, shall said bill be engrossed for a third reading?

And the ayes and noes being requested thereon,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Brown, Bryan, Carnan, Carr, Chamberlain, Chambers, Chiles, Clark of Wayne, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Cushman, Dunning, Edmonston, Edwards, Eggleston, Evans, Graham, Gregg, Hannaman, Harris, Hubbard, Huckleberry, Jackson, Johnston, Lee of B., Liston, Macey, Mason, McCarty, Moore, Morris, Myers, Nave, Phelps, Ray, Ristine, Stapp, Steele, Storm, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Whitman, and Mr. Speaker—53.

And those who voted in the negative are,

Messrs. Armstrong, Boone, Davis, Harrow, Howard, Howell, Huntington, Jones, Lee of M. and C., Miller, Murray, Posey, Smith, Walker of D., Watt, Willett, Wilson, and Zenor,—18.

On motion of Mr. Stapp,

The previous orders of the day were for the present postponed, and

The joint resolution reported by the committee on claims and heretofore laid on the table, relative to the claim of Mr. Mattingly, the jailor of Marion county, for keeping certain prisoners, was taken up and adopted.

The bill (No. 37) to locate a state road from South Bend to the northern line of the state, and,

The bill (No. 38) to locate a state road from the northern line of the state in the direction of Chicago,

Were severally read the second and third times by their respective titles and passed, (the rules of the House having been dispensed with.)

Ordered, That they be entitled acts, and that the Clerk carry them to the Senate, and ask their concurrence therein.

The bill (No. 39) to vacate a part of the Indianapolis, Centreville, and Richmond state road in Wayne county, was read the second time and ordered to be engrossed for a third reading on to-morrow.

The bill (No. 41) to amend the act entitled an act to incorporate the Lexington Steam Mill Company, app'd. Feb. 7, 1835, was read the second time, and,

On motion of Mr. Stapp,

Amended by inserting after the word "removed" the words "from the county," and ordered to be engrossed for a third reading on to-morrow.

The bill (No. 42) to authorize the service of subpœna by copy, was read the second time, and,

On motion of Mr. Willett,

Committed to the judiciary committee.

The bill (No. 43) to change the time of holding probate courts in

Daviess county, was read the second time and ordered to be engrossed for a third reading on to-morrow.

The engrossed bill of the Senate

No. 5—to legalize a certain act of James Davis, school commissioner of Sullivan county, and,

The engrossed bill of the Senate

No. 7—to repeal the act approved the 24th December, 1834, authorizing the re-location of a certain part of the Vincennes and New Albany state road, at or near Fredericksburgh in Washington county, were severally read the second time and passed to a third reading on to-morrow.

The bill (No. 44) to establish a certain state road therein named, was read the second time and ordered to be engrossed and read a third time to-morrow.

The joint resolution (No. 45) relative to the compact between the U. States and this State, on the subject of exempting lands purchased from the U. States from taxation for five years, was read the second time, and,

On motion of Mr. Hannaman,

Indefinitely postponed.

The engrossed bill of the Senate

No. 12—to continue in force an act for the benefit of persons who are likely to suffer by the destruction of the records of Parke county, app'd. Dec. 28, 1832; and also an act amendatory thereto, app'd. Jan. 8, 1834, was read the second time, and,

On motion of Mr. Howell,

Committed to a select committee.

Ordered, That Messrs. Howell and Steele be that committee.

Mr. Evans having obtained leave, moved the adoption of the following resolution;

Which was read and adopted, viz:

Resolved, That when this House adjourns this evening, (the Senate concurring) it will adjourn until Monday morning.

Ordered, That the Clerk inform the Senate thereof.

Mr. Posey having obtained leave, moved the adoption of the following resolution:

Resolved, That the standing committee on canals and internal improvements be instructed to inquire into the expediency of providing for the construction of a turnpike road from some point on the National road, to Rushville in Rush county, thence to some point on the contemplated White Water Canal, in the direction of Brookville in Franklin county, to report by bill or otherwise;

Which was read and adopted.

The previous orders of the day, which precede the joint resolution of the Senate (No. 4) on the subject of the admission of Michigan Territory into the Union, were for the present postponed, and said joint resolution was read the third time; when,

Mr. Smith moved to re-commit the same to the same select committee,

to which it was heretofore committed, with instructions to amend the same by striking out thereof the second resolution;

And before the question was put thereon,

The House adjourned.

SATURDAY, JANUARY 2, 1836.

The House met.

Mr. Craig of M. presented the remonstrance of H. R. Stephens and others, citizens of Morgan county, against the petition of sundry citizens of Monroe, Bartholomew, Johnson, and Morgan counties, praying the organization of a new county;

Which was read, and,

On motion of Mr. Craig of M.,

Referred to the select committee to which was referred the aforesaid petition.

Mr. Graham presented the petition of Thomas Barnett of Vanderburg county, praying a special act on the subject of his mill;

Which was read, and,

On motion of Mr. Graham,

Referred to the judiciary committee.

Mr. Ristine presented the petition of R. C. Gregory and others, on the subject of the militia law;

Which was read and referred to the standing committee on military affairs.

Mr. Huntington presented the petition of Robert Hoggatt and others, praying the location of a state road through the counties of Vigo, Clay, and Sullivan;

Which was referred to a select committee of Messrs. Huntington, Cushman, and Harris, without reading.

Mr. Clark of Washington presented the petition of James McKinney and others, of Washington county, praying the repeal of the 34th section of the act for opening and repairing public roads and highways, approved Feb. 10, 1831;

Which was read, and,

On motion of Mr. Clark of Washington,

Referred to the standing committee on roads.

Mr. Carnan, from the judiciary committee, to which was referred the bill,

No 76, to incorporate the Evansville and Vincennes rail road company;

Reported the same to House without amendment.

And said bill was ordered to be engrossed for a third reading, when,
On motion of Mr. Willett,

Said bill was considered as engrossed, read a third time and passed.

Ordered, That the clerk carry the same to the Senate and ask their concurrence therein.

Mr. Eggleston, from the committee on education, to which was referred a petition on that subject, reported

A bill (No. 89) to enable the school commissioners of the several counties to correct the returns of the collectors;

Which was read the first time and passed to a second reading on Monday next.

Mr. Buell, from the select committee of free conference, on the part of this House to confer with a similar committee on the part of the Senate, on the subject matter of difference between the two Houses, made the following report:

Mr. SPEAKER—

The committee of free conference appointed on the part of this House to confer with a committee of the same kind from the Senate, on the subject matter of a difference between the two Houses in an act entitled an act for the apportionment of Senators and Representatives in the General Assembly of this state, so far as it regards the second and third amendments, have had the same under consideration, and have directed me to report to this House the following agreement, to wit:

That the House recede from their amendments and insert the following:

In the 10th line, second section, after the word Warren, insert so much of the territory in Jasper county as lies south of the line dividing townships twenty-four and twenty-five.

In the second section and 14th line after the word Warren, insert "and so much of the territory in Jasper county as lies south of the line dividing townships twenty-four and twenty-five;" and in the same section and 24th line add "and so much of Jasper county as lies north of the line dividing townships 24 and 25;" and 12th line seventh section, after the word White, add "and so much of the county of Jasper as lies north of a line dividing townships twenty-four and twenty-five," and to add to the first and second sections the following:

Provided that if Jasper county shall hereafter be organized, then said territory shall be attached to the said county of Jasper;

Which was read and concurred in by the House.

Mr. Bennett moved the adoption of the following resolution:

Resolved, That the claim of \$11 00 presented against the state of Indiana by Francis Kaufman for work done in the Representatives' Hall, be referred to the committee on

When,

On motion of Mr. Ray,
Said blank was filled by inserting "claims."

And,

On motion of Mr. Morris,
Said resolution was further amended as follows:

And also that said committee inquire into the justice of the claim of \$10 00 of Thomas Woollen for making wood boxes and stripping the windows of the State House.

And then said resolution as amended was adopted.

Mr. Johnston from the committee on enrolled bills, reported that they did on this day, present to his excellency the Governor, for his approval and signature, a bill which originated in the House of Representatives, of the following title, to wit;

No. 6—An act authorizing Joseph D. Clark, a minor, to sell real estate.

Mr. Mason moved the following resolution:

Resolved, That the claim of O. H. Smith, for his services in discharge of the duties assigned him by the Legislature of this state at the last session, in going to Columbus, Ohio, be referred to the standing committee on claims.

On motion of Mr. Dunning,

The resolution was amended by inserting after the word "Ohio," the following:

And also the claim of Benjamin Rodgers, superintendant of Jackson's salt lick reservation, for advertising the sale of said reserve, and his per centage for collecting and paying over certain moneys; when

Said resolution as amended was adopted.

On motion of Mr. Wilson,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of so amending the revenue law of last session, that each person's property shall be assessed in the aggregate without specifying articles.

On motion of Mr. Miller,

Resolved, That the committee on canals and internal improvements, be instructed to inquire into the expediency of a survey and estimate of the probable cost of constructing a clay turnpike road from Evansville via Cynthiana, Owensville, to the mouth of the Patoka, with leave to report by bill or otherwise.

On motion of Mr. Wilson,

Resolved, That the committee on education be instructed to inquire into the expediency of so amending the law regulating the loaning of school funds, as to provide that the school commissioner be authorized to loan said money on good free hold security to be approved of by a majority of the township trustees in the respective townships and the school commissioner.

Mr. Smith presented

A bill (No. 90) declaring a misprint;

Which was read the first time, and passed to a second reading, when

On motion of Mr. Smith,

The rules of the House were dispensed with, said bill read a second time by its title, and ordered to be engrossed and read a third time on Monday next.

The House then proceeded to consider the orders of the day.

The question on the motion to recommit the joint resolution of the Senate (No. 4) on the subject of the admission of Michigan territory into the Union pending before the House when it adjourned on last evening, was put and decided in the negative. When

Mr. Willett moved to indefinitely postpone the further consideration of said joint resolution;

And the ayes noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Boone, Brown, Carr, Chambers, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of P., Dunning, Edmonston, Edwards, Graham, Harris, Howard, Howell, Hubbard, Huckleberry, Huntington, Jackson, Lee of B., Lee of M. & C., Miller, Moore, Myers, Posey, Smith, Stapp, Storm, Strain, Templeton, Vandever, Watt, Whitman, and Willett—35.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Bryan, Buell, Carnan, Chamberlain, Craig of M., Curtis, Cushman, Davis, Eggleston, Evans, Gregg, Hannaman, Harrow, Johnston, Jones, Liston, Macey, Mason, McCarty, Morris, Murray, Nave, Phelps, Ray, Ristine, Steele, Thompson of A., Thompson of J., Thompson of L., Vawter, Walker of D., Wilson, Zenor, and Smith, Speaker—37.

And so said joint resolution was not indefinitely postponed.

And the question then recurring on the passage thereof.

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Bryan, Buell, Carnan, Chamberlain, Clark of Wayne, Craig of M., Curtis, Cushman, Davis, Eggleston, Evans, Gregg, Hannaman, Harrow, Johnston, Jones, Liston, Macey, Mason, McCarty, Morris, Murray, Nave, Ray, Ristine, Steele, Thompson of A., Thompson of J., Thompson of L., Vawter, Walker of D., Wilson, Zenor, and Mr. Speaker—37

And those who voted in the negative are,

Messrs. Boone, Brown, Carr, Chambers, Clark of Washington, Cole, Collins, Craig of P., Dunning, Edmonston, Edwards, Graham, Harris, Howard, Howell, Hubbard, Huckleberry, Huntington, Jackson, Lee of B., Lee of M. and C., Miller, Moore, Myers, Phelps, Posey, Smith,

Stapp, Storm, Strain, Templeton, Vandever, Watt, Whitman, and Willett—35.

And so said joint resolution passed.

Ordered, That the Clerk carry it to the Senate and ask their concurrence therein.

And the House adjourned.

2 o'clock P. M.

The House met.

The House according to order went into committee of the whole on The bill (No. 77) to amend an act entitled an act to encourage the killing of wolves, approved Feb. 10, 1831.

And after some time spent therein, the Speaker resumed the chair; and Mr. Willett reported said bill to the House with sundry amendments, and asked the concurrence of the House therein;

And before the question thereon was put,

On motion of Mr. Chamberlain,

Said bill and appending amendments were indefinitely postponed.

Mr. Miller (having obtained leave) presented the following resolution:

Which was read and adopted, to wit:

Resolved, That the committee on canals and internal improvements be directed to inquire into the expediency of suspending any operations upon the road leading from New Albany through Paoli and Washington, to Vincennes, until a survey be authorized and had of a route from New Albany, to Mount Carmel, branching at or near Petersburg, and extending to Vincennes, and providing by law that when said survey shall be completed, the appropriation shall, if the latter route be found to accommodate the public interest to a greater extent, or less costly than the former, then that road shall be established as the one to be adopted by the state.

Mr. Brown, from the judiciary committee, to which was referred the engrossed bill of the Senate (No. 20) to incorporate the Perrysville, and Danville rail road company, reported the same back to the House without amendment; when,

On motion of Mr. Stapp,

Said bill was considered as engrossed, read a third time and passed.

Mr. Dunning (having obtained leave) moved the adoption of the following resolution:

Which was read and adopted, to wit:

Resolved, That a select committee be appointed to inquire what amendments, if any, are necessary to be made to the several laws, now in force providing for the sale of and leasing out the seminary and saline reservation lands in this state, so as more fully and definitely to prescribe the duties of the several commissioners, and superintendents of said lands, and to secure a sufficient accountability from said officers to the Auditor of Public Accounts and Treasurer of State.

Ordered, That Messrs. Dunning, Moore, Vandever, and Morris be that committee.

On motion of Mr. Willett,

The House resolved itself into committee of the whole on the joint resolution (No. 28) for the relief Margaret Nations and others;

Mr. Vandever being called to the chair.

And after some time spent therein, the Speaker resumed the chair,

When

Mr. Vandever reported said joint resolution to the House without amendment, and was discharged from a further consideration of said joint resolution.

When,

On motion of Mr. Hannaman,

The said Joint resolution was considered as engrossed, read a third time, and passed, (the rules of the House being dispensed with.)

Ordered, That the Clerk carry it to the Senate and ask their concurrence therein.

And the House adjourned.

MONDAY JANUARY 4, 1836.

The House met.

Mr. Davis moved that the rules of the House be suspended, and that the vote taken on the passage of the joint resolution from the Senate,

No. 4—of the General Assembly of the State of Indiana, on the subject of the admission of Michigan Territory into the Union, on Saturday last, be re-considered;

Which motion was decided in the negative.

Mr. Johnston presented the petition of J. W. Bonham, and others, citizens of Franklin county, praying that the name of the town of Greensboro, in Franklin county, may be changed and called Blooming Grove;

Which,

On motion of Mr. Johnston,

Was referred to a select committee, without reading.

Ordered, That Messrs. Johnston, McCarty, and Mason be that committee.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has concurred in the report of the committee of free

conference, appointed by the two Houses, to take into consideration their disagreement on the 2d and 3d amendments made by the House of Representatives, to the engrossed bill of the Senate (No. 15) for the apportionment of Senators and Representatives in the General Assembly of this State.

The following message was also received from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed engrossed bills of the following titles, to-wit:

No. 13—An act to establish a certain state road therein named, in the counties of Perry, Crawford, and Orange;

No. 21—An act to locate a state road from Michigan, to intersect the road leading from Frankfort to Lafayette, at Joseph McClelland's farm in Clinton county;

No. 25—An act to legalize the official acts of Josiah Reeder;

Also, bills from the House of Representatives entitled as follows, to-wit:

No. 3—An act to amend an act entitled an act to incorporate the Wabash and Michigan Rail Road Company, approved February 2d, 1832, with amendments.

No. 9—An act to incorporate the Madison Savings' Institution.

With amendments to the bills of the House;

In which bills of the Senate and amendments to the bills of the House, the concurrence of the House of Representatives is requested.

The engrossed bill of the Senate, named in said message,

No. 13—to establish a certain state road therein named,

And the engrossed bill of the Senate, named in said message,

No. 21—to locate a state road from Michigan town, to intersect the road leading from Frankfort to Lafayette, at Joseph McClelland's farm in Clinton county,

Were severally read the first time and passed to a second reading on to-morrow.

The engrossed bill of the Senate, named in said message,

No. 25—to legalize the official acts of Josiah Reeder, was read the first time and passed to a second reading; and,

On motion of Mr. Edmonston,

Was read a second time by its title, (the rules of the House being dispensed with) and ordered to be engrossed for a third reading; when,

On motion of Mr. Evans,

Said bill was considered as engrossed and read a third time and passed, (the rules of the House having been dispensed with.)

The amendment of the Senate, named in said message, to the engrossed bill of the House,

No. 3—to amend an act entitled an act to incorporate the Wabash

and Michigan Rail Road Company, app'd. Feb. 2, 1832, was read and concurred in by the House.

On motion of Mr. Evans,

So much of said message as relates to the engrossed bill of the House No. 9—to incorporate the Madison Savings' Institution was laid on the table.

Mr. Ray presented the petition of Benjamin Griffin and others, citizens of the town of Dublin in the county of Wayne, praying an act to incorporate said town;

Which,

On motion of Mr. Ray,

Was referred to the judiciary committee, without reading.

Mr. Eggleston presented the petition of Oliver Allen and others, citizens of Switzerland county, on the subject of a turnpike road from Vevay in said county, to Napoleon;

Which,

On motion of Mr. Eggleston,

Was referred to the committee on canals and internal improvements.

Mr. Dunning presented the petition of Elmore Walker of Monroe county, on the subject of reservations in said county;

Which,

On motion of Mr. Dunning,

Was referred to the same select committee, to which was heretofore referred a similar petition on the same subject, without reading.

Mr. Collins presented the petition of Patrick Shield and others, citizens of Floyd county, praying a charter for a Savings' Institution in the town of New Albany;

Which,

On motion of Mr. Collins,

Was referred to the judiciary committee without reading.

Mr. Walker of D. presented the petition of Enoch D. John and others, citizens of congressional township No. 5, range one west, on the subject of the school section in said county of Dearborn;

Which,

On motion of Mr. Walker of D.,

Was referred to the standing committee on education, without reading.

Mr. Eggleston presented the petition of sundry citizens of Switzerland county, praying an appropriation of five thousand dollars on the state road running from Madison, through Mount Sterling and Jacksonville, to Lawrenceburgh, out of the three per cent. fund;

Which,

On motion of Mr. Eggleston,

Was referred to the standing committee on canals and internal improvements, without reading.

Mr. Liston presented the petition of Benjamin McCarty and others; and also the petition of John Porter and others, praying the establishment of a state road, and also the re-location of a state road therein named; which,

On motion of Mr. Liston,

Was referred to the standing committee on roads, without reading.

Mr. Liston also presented the petition of Aaron Putnam and others, praying the location of the 12th Branch of the State Bank, within two years from the 28th day of January, 1834;

Which,

On motion of Mr. Liston,

Was referred to the committee on the State Bank, without reading.

Mr. Morris (for Mr. McBean, who from indisposition, was absent from attendance on this House) presented the petition of Samuel Pike and others, citizens of the counties of Miami, Cass, &c., praying a state road from Peru to Warsaw;

Which,

On motion of Mr. Morris,

Was referred to the standing committee on roads, without reading.

Mr. Liston presented the petition of Joseph Brown and others, citizens of Marshall county, praying that a certain district of country might be attached to said county of Marshall;

Which,

On motion of Mr. Liston,

Was laid on the table without reading.

Mr. Liston presented the petition of Grove Pomroy and others, citizens of the county of Marshall, praying the location of a certain state road therein named;

Which,

On motion of Mr. Liston,

Was referred to the standing committee on roads, without reading.

Mr. Curtis presented the remonstrance of Branson Cox and others, citizens of Wayne county, against the petition of sundry persons, praying a change in the state road leading from the Ohio state line, near New Paris, Ohio, to Dalton, Indiana, heretofore presented;

Which,

On motion of Mr. Curtis,

Was referred to the same select committee, to which said petition was referred.

Mr. Steele presented the petition of Mark Williams and others, citizens of Parke county, praying that Rackoon creek might be declared a public highway;

Which,

On motion of Mr. Steele,

Was referred to a select committee.

Ordered, That Messrs. Steele, Cole, and Templeton be that committee.

Mr. Thompson of A. presented the memorial of Elias Murray, praying that the Canal Commissioner be authorized to sell to him certain canal land therein named;

Which was read, and,

On motion of Mr. Thompson of A.,

Referred to the committee on canals and internal improvements.

Mr. Wilson, from the committee of ways and means, made the following report:

The committee of ways and means to which was referred the petition of Wm. Johnson, praying an allowance to be made him for the re-capture of Jeremiah Sullivan, have had the same under consideration and have directed me to report:

That to preserve a correct system of legislation upon claims it is proper all such demands be first referred to the investigation of the committee on claims, and therefore report the petition back to the House for their disposition.

The petition named in said report, was referred to the standing committee on claims.

Mr. Liston from a select committee, made the following report:

The select committee to which was referred the several petitions of sundry citizens of Porter county, praying for an alteration of her boundaries, and for the organization of said county, have had the same under consideration, and have directed me to report

A bill (No. 91) to organize the county of Porter, and for other purposes, which was read the 1st time and passed to a 2d reading; when,

On motion of Mr. McCarty,

Said bill was read a second time by its title, and,

On motion of Mr. Brown,

Committed to a committee of the whole and made the order of the day for to-morrow.

Mr. Thompson of L., from a select committee, made the following report:

The select committee, to whom was referred the letter of Jesse L. Williams, Principal Engineer of the Wabash and Erie Canal, requesting an investigation into certain charges made against his official conduct, together with the petition of Joseph Holman and other citizens of the county of Miami, preferring charges against David Burr, Canal Commissioner, and the said Jesse L. Williams, accompanied by a publication in the Logansport Telegraph of date August 29th, 1835, giving notice that said petition would be presented, praying for the removal of said officers for "speculation and oppression;" and also sundry remonstrances of citizens residing on or near the line of the Wabash and Erie Canal, have had the same under consideration, and have directed me to report:

The committee proceeded to examine the charges severally, as set forth in the petition, and examined upon oath, Joseph Holman, the petitioner.

The first charge contained in the petition, is that the Wabash and Erie Canal was located at the "mouth of Salimona river, in a manner

o defeat the design of nature, with a view to speculation at Wabash Town, to the great injury of Lagro and its neighborhood." The testimony of Mr. Holman, in relation to this charge, is, that the canal was laid so close to the river, opposite the dam, as to leave no room for the use of the water power on the Lagro side, yet it is not pretended by Mr. Holman that the water power cannot be used on the opposite side of the river from Lagro, so soon as the Indian title thereto, shall be extinguished, which event will, most likely, take place as soon as the country will require it. In whatever light, therefore, it is viewed by the committee, it is difficult to perceive how a location could have been made, at this point, with a view to benefit Wabash Town, especially as it appears that neither that town nor Lagro had been laid out when the canal was located. But for further evidence in relation thereto the committee refer the House to the letter of Mr. Voorhies, (marked A.)

Charge 2d. Changing the line below the mouth of Mississinawa, from the Prairie route, where the U. S. Engineer run it, to the river bank, where it has been constructed.

The committee are convinced that the object which induced this change, was to secure an adequate supply of water. By reference to the report of the Chief Engineer, of December 6th, 1833, (which was made long before any of the transactions, alledged as the ground of the charge) it will be perceived that a feeder was then considered necessary, not far below the mouth of the Mississinawa, and that the river was gauged for this purpose, one and a half miles below that stream, near the spot where the feeder dam has been erected. (See report of Commissioners of Dec. 21, 1833, page 14.)

But for further and more conclusive evidence of the necessity of this change, the committee refer the House to the letters of Wm. Gooding (No. 1), Samuel Farror, with corresponding notes of Howard Stansbury and Francis Cleveland (No. 2), William H. Price (No. 3), J. Ridgeway and Nathaniel Medbury (No. 4,) and from J. B. Jervis (No. 5), the last of which letters was written long previous to the location of this line, in answer to an official letter from the engineer.

Charge 3rd.—That a dam was built near Peru, on a sand bottom, when a rock bottom could be found three or four miles below.

The refutation of this charge might be found in the answer given to the last one, which shows a feeder to be necessary as high up as practicable. But to show the assertion, *that the dam is built on a sand bottom*, to be incorrect, the committee refer the House to the affidavit of John P. Ferry, (No. 6) and the letter of L. Fisher, (No. 7.)

The principle which governed the location of the dam, appears to the committee to be this, viz: to introduce the feeder at the first point after passing the Mississinewa, where a good bottom could be found for a dam.

Charge 4th.—That the Canal has been improperly located at Miamisport, in running through the lots of the town, and across the fields of Holman and Rayburn, when an equally cheap location could be had along the bank of the river.

This charge the committee have examined with much caution, and refer the House to the estimate and letter of Mr. Fisher, (No. 7) in which it will be perceived that the adopted line is *five* chains shorter than the river line, and is estimated to cost \$4,333 50 less, and can be constructed with an average excavation of 6 90 feet deep, whereas, upon the river line the average excavation is 9.50 feet. (See letter of Mr. Fisher, No. 7.) Upon this point Mr. Holman admitted that the adopted line was the shorter of the two, but seemed to think that the Engineer had evidenced a disposition to destroy the town of Miamisport for the purpose of building up and increasing the value of property in the town of Peru. This conclusion he came to from the fact that Mr. Williams was one of the proprietors of the town of Peru. The committee however, from the whole of Mr. Holman's testimony, could not avoid the conclusion that no feeling of personal interest was manifested in the conduct of the engineer in the location of the canal at this point, but that he was influenced by an entire regard for the selection of the best route, and the promotion of the interest of the state. His interest in the town of Peru could not, certainly, have operated upon the location, as it was acquired after the line was run and established.

Charge 5th.—That the canal was improperly located through the farm of Jesse L. Williams, destroying two state road bridges.

For evidence that the canal is properly located at this point, the letter of Mr. Fisher, with concurring note of Mr. Gooding, (No. 7) are conclusive. The excavation through the farm of Mr. Williams is much less than upon any other route that could be procured in the neighborhood; and the committee know of no reason why the chief engineer should have changed the course of the canal to a route of much augmented cost, because he owned land upon its margin.

Charge 6th.—Building a culvert on Mr. Williams' farm for his spring.

This culvert was built at the expense of Mr. Williams, as will appear from the deposition of V. Armitage, (No. 8) and his receipt (No. 9.) See also Mr. Fisher's letter above referred to.

The committee has thus recapitulated the charges in the petition, upon neither of which was the testimony of Mr. Holman conclusive. The committee think that Mr. Williams, so far as any developements have been made during their investigation, has always manifested an anxiety to accommodate the land-holders or proprietors as far as the interest of the state could permit. As evidence of this, the committee refer the House to the testimony of L. B. Wilson, (No. 10.)

The House is so well acquainted with the professional standing of the several engineers, whose opinions are referred to in this report, that any lengthened remarks on this point, may be deemed superfluous. By reference to the Ohio Canal Reports, it will be seen that Mr. Farner, Mr. Price, Mr. Ridgeway, and Mr. Medbury, have stood at the head of canal operations in that state, since 1825. Mr. Jarvis is now one of the principal engineers of the state of New-York. All the other gentlemen are in the service of this state, and their qualifications are fully known. The committee may here remark, that upon ques-

tions of location, like those presented in this investigation, no testimony can be so important or so conclusive as the professional opinions of experienced and competent engineers.

The committee therefore, taking into consideration all the facts set forth in the petition, (regardless of the immensely larger number of individuals who have signed the remonstrances) and even *admitting* the testimony of Mr. Holeman to have been substantially supported, have directed me to lay before the House of Representatives, for their adoption, the following resolution:

Resolved, That the conduct of David Burr, Canal Commissioner, and Jesse L. Williams, Principal Engineer on the Wabash and Erie Canal, have been such as is consistent with the strictest integrity as public officers and private citizens, and influenced by an anxiety for the welfare of the state.

Which was read and unanimously concurred in by the House.

Mr. Hannaman moved to print 1000 copies of said report:

Which motion was decided in the negative.

On motion of Mr. Stapp,

The engrossed bill (No. 9) with amendments of the Senate thereto, to incorporate the Madison savings institution, was taken from the table; when,

On motion of Mr. Stapp,

The amendment of the Senate, by adding a 17th section to said bill was amended, and then said amendments of the Senate as amended were concurred in.

Ordered. That the clerk inform the Senate of the amendment of the House to the amendment of the Senate to said bill, and ask their concurrence therein.

Mr. Liston presented

A bill (No. 93) to amend the act entitled an act to incorporate the Michigan City and Kankakee rail road company;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Vandever presented

A bill (No. 94) to repeal the act entitled an act for assessing and collecting the revenue, approved Feb. 10, 1831, and for other purposes;

Which was read the first time, and passed to a second reading,

When,

On motion of Mr. Vandever.

The rules of the House were dispensed with, and said bill was read a second time. When,

On motion of Mr. Vawter,

Said bill was amended and considered as engrossed, and read a third time and passed, the rules of the House having first been dispensed with.

Mr. Willett moved to amend the title of said bill by inserting after the word repeal, the word "apart;"

Which motion was decided in the affirmative,

Ordered, That the clerk carry it to the Senate and ask their concurrence therein.

And the House adjourned.

2 o'clock, P. M.

The House met.

Mr. Chamberlain, from a select committee, to which was referred a petition on that subject, reported

A bill (No. 92) to organize Kosciusko county;

Which was read the first time, and passed to a second reading on tomorrow.

A message from his Excellency the Governor, by Mr. Ketcham his private Secretary:

Mr. SPEAKER—

I am directed by his excellency, the Governor, to report to the House of Representatives the bills approved Jan. 2, 1836, entitled as follows:

No. 13—An act to extend the time of returning to the Clerks of the several counties, and the Auditor of State, assessments of property under the revenue law of 1835;

No. 16—An act to locate a state road in Dearborn county from the town of Dillsborough to Aurora;

No. 6—An act authorizing Joseph D. Clark, a minor, to sell real estate;

No. 18—to establish as a state road, the county road from Jasper via Portersville and Smith's ferry on the east fork of White river to Washington in Daviess county;

No. 19—An act to legalize the proceedings of the commissioner of a certain state road therein named;

No. 4—An act to relocate a state road in the county of Orange, from Orleans to Geo. French's;

No. 5—A joint resolution relative to the payment of postage;

No. 12—A joint resolution relative to pre-emptions to settlers on the public lands of the United States, within the state of Indiana;

And also the following, approved 23d Dec. 1835:

No. 11—A joint resolution on the subject of maps.

Mr. Craig of M., from a select committee, made the following report:

Mr. SPEAKER—

The select committee to which was referred the petition of Joshua Taylor and others, citizens of Morgan county praying a change in a state road, and also the remonstrance of Hiram T. Craig and others,

against said change, have had the same under consideration, and have directed me to report that it is inexpedient to legislate on that subject, and beg leave to be discharged from the further consideration of the same.

On motion of Mr. Moore,

The petition named in said report and remonstrance were recommit-
ted to the standing committee on roads.

Mr. Armstrong moved the adoption of the following resolution:

Resolved, That the committee on canals and internal improvements, be instructed to incorporate in the bill for internal improvements, a provision that this state shall make a rail road from Indianapolis, via Franklin, to Columbus or Rockford, or to any point between said last mentioned points, which in the opinion of the Board of Internal Improvements, would be more expedient for diverging to Madison, and Jeffersonville, and whenever either the Jeffersonville or Madison Rail Road Company shall have subscribed and secured to the state, an amount equal to one-half the sum requisite to make a branch rail road from such diverging point, either to Madison or Jeffersonville, then the Board of Internal Improvements to take on the part of the state, the remaining half of the stock on such line, the work on the part of the state, not to be commenced until the part required to be made by the company, shall in the opinion of said board, be in such a state of forwardness as to justify the commencement on the part of the state.

On motion of Mr. Morris,

Said resolution was amended by inserting after the word "instruct-
ed" "to inquire into the expediency of;"

And then said resolution as amended was adopted.

On motion of Mr. Evans,

Mr. Armstrong was added to the committee on canals and internal improvements.

On motion of Mr. Eggleston,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of allowing the Lawrenceburgh and Madison Rail Road Companies, the credit of the state to borrow the sum of \$500,000 each, on condition that they pay to the State a bonus of \$10,000 each, and authorizing the application of said bonus to the construction of a turnpike road from Vevay to Napoleon.

On motion of Mr. Miller,

Resolved, That the committee on military affairs be instructed to inquire into the expediency of making it the duty of all persons who may consent to run as a candidate for any office in the militia of this state, shall on the presentment of his commission, refuse or neglect to take the oath agreeable to law, shall pay a penalty of some certain amount, with leave to report by bill or otherwise.

Mr. Vawter moved that the rules of the House be dispensed with, and that the House now resolve itself into a committee of the whole, on the bill [No. 81] amendatory of an act entitled an act establishing a State Bank, approved Jan. 28, 1834;

Which motion was decided in the affirmative;

Mr. Smith of R. being called to the Chair,
 And after some time spent therein,
 The Speaker resumed the Chair, and
 Mr. Smith reported said bill to the House with amendments, in which
 he asked the concurrence of the House;
 And before the question thereon was put,
 The House adjourned.

TUESDAY, JANUARY 5, 1836.

The House met.

While the journal was being made, Mr. Morris moved to correct the same by embracing in it the letters reported as evidence by the select committee appointed to investigate the charges against David Burr, Canal Commissioner, and Jesse L. Williams, Principal Engineer of the Wabash and Erie Canal;

Which motion was decided in the negative,

Whereupon,

Mr. Liston moved to re-consider the vote,

And before the question thereon was put,

Mr. Willett contended that the remainder of the journal should be read before the question on the amendment was taken,

When the Speaker decided,

That the motion to amend any part of the journal which had been read, was in order, before the reading of the residue of the journal, and that the same was debatable;

From which decision of the Chair,

Mr. Willett appealed,

And the question being put,

Is the decision of the Chair correct?

And the ayes and noes being requested thereon by two members.

Those who voted in the affirmative are,

Messrs. Armstrong, Bennett, Boone, Brown, Bryan, Buell, Carnan, Carr, Chamberlain, Chambers, Clark of Wayne, Clark of Wash., Cole, Collins, Craig of M., Curtis, Davis, Dunning, Edmonston, Edwards, Eggleston, Evans, Graham, Gregg, Hannaman, Harrow, Harris, Howard, Howell, Hubbard, Huntington, Jackson, Johnston, Jones, Lee of Bartholomew, Lee of M. and C., Liston, Macey, Mason, McCarty, Miller, Moore, Morris, Murray, Myers, Nave, Phelps, Posey, Ray, Ristine, Smith, Stapp, Steele, Storm, Strain, Templeton, Thompson of Allen, Thompson of Johnson, Thompson of Lawrence, Vandever,

Vawter, Walker of D., Walker of S., Watt, Whitman, Wilson, and Zenor—65.

And those who voted in the negative are,

Messrs. Craig of P., Cushman, and Willett—3.

And so the decision of the Chair was sustained.

And the question then being put on the motion to re-consider,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bennett, Brown, Bryan, Buell, Carnan, Chamberlain, Chiles, Clark of Wayne, Craig of M., Curtis, Cushman, Davis, Edwards, Evans, Graham, Gregg, Hannaman, Hubbard, Jackson, Johnston, Jones, Liston, Macey, Mason, McCarty, Morris, Ray, Ristine Templeton, Thompson of A., Thompson of J., Thompson of L., Vawter, Walker of D., Walker of S., Whitman, and Smith, Speaker—38.

And those who voted in the negative are,

Messrs. Bardwell, Boone, Carr, Chambers, Clark of Washington, Cole, Collins, Craig of P., Dunning, Edmonston, Eggleston, Harrow, Harris, Howard, Howell, Huckleberry, Huntington, Lee of B., Lee of M. and C., Miller, Moore, Murray, Myers, Nave, Phelps, Posey, Smith, Stapp, Steele, Storm, Strain, Vandever, Watt, Willett, Wilson, and Zenor—36.

And so said vote was re-considered.

And the question then recurring on the motion to correct the journal by embracing therein the letters as aforesaid,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bennett, Brown, Bryan, Buell, Carnan, Chamberlain, Chiles, Clark of Wayne, Craig of M., Curtis, Cushman, Davis, Edwards, Evans, Graham, Gregg, Hannaman, Hubbard, Johnston, Liston, Macey, Mason, McCarty, Morris, Ray, Ristine, Templeton, Thompson of A., Thompson of L., Vawter, Whitman, and Mr. Speaker—32.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Boone, Carr, Chambers, Clark of Washington, Cole, Collins, Craig of P., Dunning, Edmonston, Eggleston, Harrow, Harris, Howard, Huckleberry, Huntington, Jones, Lee of B., Lee of M. and C., Miller, Moore, Murray, Myers, Nave, Phelps, Posey, Smith, Stapp, Steele, Storm, Strain, Thompson of J., Vandever, Walker of D., Walker of S., Watt, Willett, Wilson, and Zenor—40.

And so said motion was decided in the negative.
 The reading of the journal was then concluded.
 And the House adjourned.

2 o'clock, P. M.

The House met.

Mr. Cole presented the petition of Christopher C. Hiddle, and others, citizens of Vermillion county, praying the location of a state road commencing at the centre of the south east qr. of section 15, township 15, range 10 west, and running from thence to the town of Clinton; and also the remonstrance of Elijah Taylor and others of said county of Vermillion, against the aforesaid petition;

Which,

On motion of Mr. Cole,

Were referred to the standing committee on roads, without reading.

Mr. Thompson of A. presented the petition of Joseph Holman, for himself, and on behalf of the citizens of Miamisport, praying certain relief;

Which was read and referred to the committee on claims.

Mr. Phelps presented the petition of E. Matthews and others, citizens of the counties of Floyd, Harrison, Crawford, Pike, Dubois, and Gibson, praying an appropriation on a certain state road therein named;

Which,

On motion of Mr. Phelps,

Was read and referred to the standing committee on canals and internal improvements.

Mr. Buell presented the petition of John Stephenson, praying an act to regulate him and the attendants on his lunatic asylum,

Which,

On motion of Mr. Buell,

Was read and referred to a select committee.

Ordered, That Messrs. Buell, Davis, and Chamberlain be that committee.

Mr. Wilson from the committee of ways and means, to which was referred a resolution on that subject, reported the following bills, viz:

A bill [No. 95] to amend an act entitled an act organizing the supreme court and defining its powers, approved January 17th, 1831;

Which was twice read (the rules of the House having been dispensed with); when,

Mr. Willett moved to lay it on the table;

Which motion was lost.

Mr. Stapp moved to amend said bill so as to provide that the salaries of said judges commence from and after the first day of April next, and that the act take effect and be in force from and after its passage.

Mr. Thompson of L. moved to amend said proposed amendment, as that the salaries of said judges commence from and after the 1st day of January, 1836;

Which motion was lost.

And the question then recurring on the first proposed amendment, was decided in the affirmative; when,

On motion of Mr. Huckleberry

Said bill was laid on the table.

A bill [No. 96] to amend an act entitled an act organizing circuit courts and defining their powers and duties, approved February 24th, 1831;

Which was read the first time and passed to a second reading; when,

On motion of Mr. Evans,

Said bill was read the second time by its title, (the rules of the House having been first dispensed with.)

Mr. Clark of Washington then moved to indefinitely postpone the further consideration of said bill; and

Before the question thereon was put,

On motion of Mr. Howell,

Said bill was laid on the table.

Mr. Eggleston moved to dispense with the rules of the House and take from the table, the bill [No. 95] to amend an act entitled an act organizing the supreme court and defining its powers, approved Jan. 17, 1831;

Which motion did not prevail.

Mr. Ray from the judiciary committee, to which was referred the Bill [No. 90] to incorporate the town of Vevay, reported the same to the House without amendment.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Wilson from the committee of ways and means made the following report:

Mr. SPEAKER—

The committee of ways and means, to which was referred so much of the Governor's message as relates to raising the salary of the Governor and other officers therein named, have had the same under consideration and directed me to report:

That for the reason of the committee having acted, and reported on so much of the resolution as relates to raising the salary of the officers therein named, and the fact of no recommendation being made in the Governor's message for raising the salary of Governor, they are of opinion that legislation on this matter is inexpedient.

On motion of Mr. Willett,

Said report and resolution was referred to a select committee.

Ordered, That Messrs. Willett, Evans, and Stapp, be that committee.

Mr. Eggleston from the judiciary committee, to which was referred the

Bill [No. 11] to incorporate the Newport Steam Mill Company, reported the same back to the House without amendment.

Ordered, That said bill be engrossed and read a third time on to-morrow.

Mr. Liston from the judiciary committee, to which was referred the Bill (No. 74) to incorporate the Laporte Canal and Rail Road company, reported the same to the House with one amendment,

Which was read and concurred in by the House.

When said bill was ordered to be engrossed and read a third time to-morrow.

Mr. Evans from the committee on canals and internal improvements, to which was referred the

Bill (No.) authorizing a loan for the improvement of state roads and pledging the 3 per cent. fund for the payment thereof, reported the same to the House without amendment.

Mr. Huntington moved to commit said bill to a committee of the whole House and make it the order of the day for to-morrow.

Mr. Howell moved to amend said motion by referring said bill to a select committee;

Which motion was lost.

And the question then recurring on the motion to commit to a committee of the whole, was decided in the affirmative.

Mr. Johnston from the select committee, to which was referred a petition on that subject, reported

A bill (No. 97) to change the name of the town of Greensboro in Franklin county, to that of Blooming Grove;

Which was three times read and passed (the rules of the House having been dispensed with.)

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate, and ask their concurrence therein.

Mr. Ristine from the select committee, to which was referred a petition on that subject, reported

A bill (No. 98) to change the name of the town of Somerset;

Which was read the first time and passed to a second reading;

When,

On motion of Mr. Willett,

Said bill was read a second time by its title, (the rules of the House having been dispensed with) and ordered to be engrossed and read a third time to-morrow.

Mr. Steele from the select committee, to which was referred a petition on that subject, reported

A bill (No. 99) declaring Big Rackoon in the county of Parke, a public highway;

Which was read the first time and passed to a second reading on to-morrow.

On motion of Mr. Huntington,

The previous orders of the day were for the present postponed, and

The bill (No. 31) amendatory of an act establishing a State Bank, approved January 28, 1834, was taken up and considered;

And the question pending before the House when it adjourned on yesterday evening, on concurring in the amendments proposed to said

bill by committee of the whole, being put, the 1st and 2d amendments were concurred in by the House;

And the question was then put, will the House concur in the third proposed amendment to the 9th section of said bill?

Which reads as follows:

That the counties of Elkhart, Lagrange, and Kosciusko, be included in the 12th branch district;

And the ayes noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bryan, Buell, Chamberlain, Chambers, Chiles, Clark of Washington, Cole, Craig of P., Davis, Dunning, Evans, Graham, Hannaman, Harrow, Harris, Johnston, Lee of B., Liston, Mason, Moore, Murray, Myers, Nave, Phelps, Ristine, Steele, Strain, Templeton, Thompson of A., Vandever, Vawter, Willett, Wilson, Zenor, and Mr. Speaker—36.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Brown, Carnan, Carr, Clark of Wayne, Collins, Craig of M., Curtis, Cushman, Edmonston, Edwards, Eggleston, Gregg, Howard, Howell, Hubbard, Huckleberry, Huntington, Jackson, Jones, Lee of M. & C., Macey, Morris, Posey, Ray, Stapp, Storm, Thompson of J., Thompson of L., Walker of D., Walker of S., Watt, and Whitman—34.

And so said amendment was adopted.

And the 4th amendment proposed to said bill was also concurred in by the House.

Mr. Buell then moved to amend the 6th section of said bill by striking out the word "individual," and insert in lieu thereof the word "State;"

Which motion was lost.

Mr. Nave moved to further amend said bill by striking out the 2d section;

Which motion was also negatived.

Mr. Willett moved to amend the 1st section of said bill by striking out after the words "two hundred" the word "fifty;"

Which motion was decided in the negative.

On motion of Mr. Buell,

Said bill was considered as engrossed and read a third time,

And the question was then put, shall said bill pass?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Brown, Buell, Carnan, Carr, Chamberlain, Chambers, Chiles, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of P., Curtis, Cushman, Davis, Dunning, Edwards, Eg-

gleston, Evans, Graham, Gregg, Hannaman, Harris, Howard, Howell, Hubbard, Huntington, Jackson, Johnston, Jones, Lee of B., Lee of M. and C., Liston, Macey, Mason, Morris, Murray, Myers, Ray, Ristine, Stapp, Steele, Storm, Templeton, Thompson of A., Thompson of J., Thompson of L., Vawter, Walker of D., Walker of S., Watt, Whitman, and Mr. Speaker—56.

And those who voted in the negative are,

Messrs. Armstrong, Bryan, Craig of M., Edmonston, Harrow, Huckleberry, Moore, Nave, Phelps, Posey, Smith, Strain, Vandever, Willett, Wilson, and Zenor—16.

And so said bill passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Jackson from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bill which originated in the House of Representatives of the following title, to-wit:

No. 3—An act to amend an act entitled an act to incorporate the Wabash and Michigan Rail Road Company, app'd. Feb. 2, 1832;

And find the same truly enrolled.

Mr. Johnston from the joint committee on enrolled bills reported that they have compared the enrolled with the engrossed joint resolution which originated in the Senate of the following title, to-wit:

No. 4—A joint resolution on the subject of the admission of Michigan Territory into the Union;

And find the same truly enrolled.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed the engrossed bill of the House of Representatives,

No. 52—Entitled an act to incorporate the Madison Water and Manufacturing company, with amendments;

In which amendments the concurrence of the House of Representatives is requested.

Which said amendments were read and concurred in by the House.

Mr. Mason presented

A bill (No. 100) to suppress gaming;

Which was twice read (the rules of the House having first been dispensed with); when,

Mr. Evans moved that the rules be further dispensed with, and that said bill be read a third time now;

And before the question was put thereon,

Mr. Huntington moved said bill be committed to the judiciary committee;

Which was decided in the negative; when,

On motion of Mr. Evans,

Said bill was committed to a committee of the whole and made the order of the day on to-morrow.

The House adjourned.

WEDNESDAY, JANUARY, 6, 1836.

Mr. Thompson of L., presented the petition of John Milroy, praying that a certain act of the Sheriff, of the county of Lawrence may be legalized.

Which,

On motion of Mr. Thompson of L.,

Was referred to the judiciary committee without reading.

Mr. Storm presented the petition of Andrew Slinkard, commissioner of Slinkard's creek bridge, on the subject of said bridge;

Which was read, and,

On motion of Mr. Storm,

Referred to the committee on roads.

Mr. Howard presented the remonstrance of Thomas Cole and others, citizens of Dearborn and Switzerland counties, remonstrating against the location of a certain state road therein named;

Which,

On motion of Mr. Howard,

Was referred to the same select committee to which a petition on the same subject was heretofore referred without reading.

Mr. Jones presented the petition of Elizabeth Hatfield, of Daviess county, praying the passage of an act divorcing her from her husband Battle M. Hatfield;

Which was read, and,

On motion of Mr. Jones,

Referred to a select committee.

Ordered, That Messrs. Jones, Nave, and Edmonston, be that committee.

Mr. Ray, from the judiciary committee, to which was referred a resolution on that subject, reported

A bill (No. 101) to amend an act entitled an act to license and regulate taverns and groceries, approved Feb. 3, 1832.

Which was read the first time and passed to a second reading on to morrow.

Mr. Jackson, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bill which originated in the House of Representatives of the following title, to-wit:

No. 52—An act to incorporate the Madison Water and Manufacturing company.

And find the same truly enrolled.

Mr. Stapp, from the judiciary committee, to which was referred

The bill (No. 42) to authorize the service of Subpœna by copy;

Made the following report:

Mr. SPEAKER—

The judiciary committee to which was referred a bill 'to authorize the service of subpœnas by copy, have had the same under consideration, and have directed me to report the same to the House with the following resolution;

Resolved, That said bill be indefinitely postponed.

And on the question being put on the adoption of said resolution,

It was decided in the negative.

On motion of Mr. Huntington,

Said bill was amended by adding an additional section thereto.

When,

On motion of Mr. Evans,

Said bill was considered as engrossed, read a third time and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Huckleberry, from the judiciary committee, to which was referred a resolution on that subject, reported

A bill (No. 102) to amend an act for the relief of the poor, approved Feb. 10, 1831;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed, and read a third time on tomorrow.

Mr. Ray, from the judiciary committee, to which was referred a petition on that subject, reported

A bill (No. 103) to incorporate the the town of Dublin;

Which was read the first time, and passed to a second reading on tomorrow.

Mr. Howell, from the select committee, to which was referred the engrossed bill of the Senate,

No. 12—to continue in force an act for the benefit of persons who are likely to suffer by the destruction of the records of Parke county, approved Dec. 28, 1832, and also an act amendatory thereto, approved Jan. 8, 1834, reported the same back to the House with one amendment;

Which was read and concurred in by the House, and then said bill as amended was ordered to be engrossed and read a third time on tomorrow.

Mr. Walker of D., from the select committee, to which was referred a petition on that subject, reported

A bill (No. 104) to locate a state road in Dearborn county, from the

South Hogan creek bridge to the North Hogan school house, on the Indianapolis state road;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Willett, from the select committee, to which was referred a resolution of the House and report from the committee of ways and means, reported

A bill (No. 105) to amend an act regulating the fees and salaries of the several officers and persons therein named;

Which was read the first time and passed to a second time on tomorrow.

Mr. Phelps, from the select committee to which was referred a petition on that subject, reported

A bill (No. 106) to amend an act entitled an act to incorporate the town of Leavenworth, approved Feb. 7th 1835;

Which was three times read, (the rules of the House having been dispensed with,) and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Johnston from the joint committee on enrolled bills, reported that they did on this day, present to his excellency the Governor, for his approval and signature, a joint resolution which originated in the Senate, and also a bill which originated in the House of Representatives, of the following titles, to wit;

No. 4—A joint resolution on the subject of the admission of Michigan territory into the Union;

No. 3—An act to amend an act entitled an act to incorporate the Wabash and Michigan rail road company, approved Feb. 2, 1832.

On motion of Mr. Dunning,

Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of inserting in the bill (which may be reported from said committee providing for a general system of internal improvement) a provision authorizing the establishment of a board of public works, to consist of seven persons, one of whom shall be selected from each Congressional district in this state. The members of said board to be appointed by the Governor, the Senate consenting thereto; and the term of service of the members of said board to be three years, unless sooner removed by joint resolution of the General Assembly.

On motion of Mr. Harrow,

Resolved, That the committee on education be instructed to inquire into the expediency of granting to the inhabitants of school districts in the several Congressional townships in this state, the privilege of having retained for them, undrawn their proportionate amount of moneys, so the same may be drawn by the proper school district at any time, that it may be entitled to receive the same, with leave to report by bill or otherwise.

On motion of Mr. Murray,

Resolved, That the committee on canals and internal improvements

be requested to inquire into the expediency of making Orleans in Orange county a point in the rail road or turnpike road, contemplated from New Albany to Crawfordsville.

On motion of Mr. Hannaman,

Resolved, That the committee on public buildings be instructed to inquire into the expediency of so amending an act to provide an executive officer of the Supreme Court, approved Feb. 3, 1833, so as to make it the duty of that officer to take charge of the state house and the furniture thereof, and make such allowance to such officer as may appear just and equitable, with leave to report by bill or otherwise.

Mr. Posey, from the select committee, to which was referred a resolution on that subject, reported

A bill (No. 107) to provide for the recording of ear marks and brands;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Thomson of J., from the select committee, to which was referred a petition on that subject, reported

A bill (No. 108) to incorporate the Indiana Baptist Education Society and the Indiana Baptist Manual Labor Institute;

Which was read the first time and passed to a second reading;

When,

On motion of Mr. Hannaman,

Said bill was read a second time by its title, and ordered to be engrossed, and read a third time to-morrow.

Mr. Nave moved the adoption of the following resolution, viz:

Resolved, That the committee on canals and internal improvements be instructed to incorporate in the bill of internal improvements that may be reported to this House, the following as points in the Madison, Indianapolis, and Lafayette rail road north west of Indianapolis, viz: from Indianapolis, thence to Danville in Hendricks county, thence to Crawfordsville in Montgomery county, and thence to Lafayette in Tiptecanoe county, pursuant to the 13th section of an act entitled an act for the further prosecution of the Wabash and Erie Canal, and for other purposes, approved Feb. 6, 1835;

Which,

On motion of Mr. Evans,

Was amended by directing the committee to inquire into the expediency of &c.

And then said resolution as amended was adopted.

On motion of Mr. Thompson of A.,

Resolved, That the judiciary committee be instructed to inquire what amendments are necessary in the law providing for the assessment of damages done to individuals, by the construction of the Wabash and Erie Canal, and other public works.

On motion of Mr. Posey,

Resolved, That the committee on education be instructed to inquire into the expediency of fixing by law some day certain, for the distribu-

tion of the school funds in the different townships in this state, to report by bill or otherwise.

On motion of Mr. Huckleberry,

Resolved, That the use of the Representatives' Hall be tendered to the political convention to be held at Indianapolis on the 8th and 9th of January instant, for the despatch of its business.

Mr. Liston moved the adoption of the following resolution:

Resolved, That the witnesses subpoenaed to give testimony before the judiciary committee to sustain the charges preferred against Gustavus A. Everts, President Judge of the eighth Judicial Circuit of the state of Indiana, be required to give their testimony at the bar of this House, whenever the judiciary committee shall inform this House that the witnesses are in attendance.

And before the question on the adoption thereon, was had,

The House adjourned.

2 o'clock P. M.

The House met.

And the question on the adoption of the resolution pending before the House when it adjourned this morning, was put and decided in the negative.

Mr. Thompson of L., presented

A joint resolution (No. 109) relative to the appointment of a commissioner;

Which was twice read, the rules of the House having first been dispensed with, and,

On motion of Mr. Thompson of L.,

Laid on the table.

Mr. Wilson (having first obtained leave) moved the adoption of the following resolution;

Which was read and adopted, viz:

Resolved, That the committee on canals and internal improvements be directed to inquire into the expediency of providing in the bill for a general system of internal improvements, a McAdamized road from New Albany to Corydon, Jasper, Petersburg, and to the Wabash opposite Mt. Carmel.

Mr. Davis presented

A bill (No. 110) making it the duty of the commissioners of Warren county to pay a commissioner for locating a state road therein named;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Liston presented

A bill (No. 111) to locate a state road from Michigan City to the state line;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Liston also presented

A bill (No. 112) to locate a certain state road therein named;

Which was read the first time, and passed to a second reading on tomorrow.

Mr. Craig of P. presented

A bill (No. 113) to establish a state road from Cynthiana in Posey county to the mouth of the Patoka river in Gibson county;

Which was read the first time, and passed to a second reading on tomorrow.

Mr. Lee of B. presented

A bill [No. 114] to extend the provisions of an act therein named to Bartholomew county;

Which was twice read (the rules of the House having first been dispensed with); when,

Mr. Dunning moved to further dispense with the rules and read said bill a third time;

And before the question thereon was had,

On motion of Mr. Eggleston,

Said bill was laid on the table.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed an engrossed bill and a memorial and joint resolution from the House of Representatives, entitled as follows, viz:

No. 35—An act to locate a state road from South Bend in the direction of Bertrand.

No. 59—A memorial and joint resolution on the subject of a purchase of a tract of land from the United States;

With amendments to the memorial and joint resolution, in which the concurrence of the House of Representatives is requested.

Which said amendments of the Senate to said joint resolution were severally read and concurred in by the House.

The House then proceeded to consider bills on their third reading.

The engrossed bill [No. 20] to amend the act entitled an act to re-locate a certain state road in the counties of Hancock and Henry, approved February 7, 1835, and for other purposes, was read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

The engrossed joint resolution of the Senate [No 3] of the General Assembly of the State of Indiana, to the Congress of the United States, praying further appropriations on the National Road within the limits of Indiana, was read a third time and passed.

Bills of the following titles, were severally read the third time and passed, to-wit:

The engrossed bill [No. 22] to amend an act entitled an act for the appointment of persons to receive deeds for lots or lands given or purchased for the use of schools, meeting houses, and masonic lodges.

The engrossed bill [No. 23] to locate a state road from Delphi in Carroll county, to Dayton in Tippecanoe county.

The engrossed bill [No. 24] establishing as a state road the county road from Livonia to George Becks.

The engrossed bill [No. 25] declaring a certain road therein named, a state road.

The engrossed bill [No. 26] to incorporate the Vincennes academy.

The engrossed bill [No. 27] to repeal the act to incorporate the Crawfordsville Seminary.

The engrossed bill [No. 29] to organize the county of Adams.

The engrossed bill [No. 30] to organize the county of Fulton; and,

The engrossed bill [No. 31] to legalize the sale of the west half of the public square in the town of New Castle.

Ordered, That they be entitled acts, and that the Clerk carry them to the Senate and ask their concurrence therein.

The engrossed bill [No. 32] to amend an act entitled an act regulating divorces, approved January 17th, 1831, was read the third time; and,

The question was then put,

Shall said bill pass?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Brown, Buell, Carnan, Chamberlain, Chambers, Chiles, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of M., Craig of P., Curtis, Dunning, Edmonston, Edwards, Eggleston, Evans, Graham, Gregg, Hannaman, Hubbard, Huckleberry, Jackson, Johnston, Lee of B., Liston, Macey, Mason, McCarty, Miller, Moore, Morris, Myers, Nave, Phelps, Ray, Ristine, Stapp, Storm, Templeton, Thompson of A., Thompson of J., Thompson of L., Vawter, Walker of S., Whitman, and Mr. Speaker—50.

And those who voted in the negative are,

Messrs. Armstrong, Boone, Carr, Cushman, Davis, Harrow, Harris, Howard, Howell, Huntington, Jones, Lee of M. and C., Murray, Posey, Smith, Strain, Vandever, Walker of D., Watt, Willett, Wilson, and Zenor—22.

And so said bill passed.

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

A message from his Excellency the Governor, by Mr. Ketcham, his private Secretary:

Mr. SPEAKER—

I am directed by his Excellency the Governor to inform the House of Representatives, that on the 6th January 1836, he approved

An act (No. 3) to amend an act entitled an act to incorporate the Wabash and Michigan Rail Road Company, approved Feb. 2, 1832.

The following bills, to-wit:

The engrossed bill [No. 34] concerning the reserved township of Seminary lands in Monroe county.

The engrossed bill [No. 39] to vacate a part of the Indianapolis, Centreville, and Richmond state road in Wayne county.

The engrossed bill [No. 41] to amend the act entitled an act to incorporate the Lexington Steam Mill Company, approved February 7, 1835.

The engrossed bill [No. 43] to change the time of holding the probate courts in Daviess county; and,

The engrossed bill [No. 44] to establish a certain state road therein named;

Were severally read the third time and passed.

Ordered, That they be entitled acts, and that the Clerk carry them to the Senate and ask their concurrence therein.

The engrossed bills of the Senate,

No. 5—To legalize a certain act of James Davis, school commissioner of Sullivan county;

No. 7—To repeal the act approved 24th December, 1834, authorizing the re-location of a certain part of the Vincennes and New Albany state road, at or near Fredericksburgh in Washington county; and,

No. 11—To incorporate the Newport Steam Mill Company;

Were severally read the third time and passed.

Bills of the following titles were severally read the third time and passed, to-wit:

The engrossed bill [No. 61] authorizing the sale of the residue of one of the reserved sections of land in the reserved township of lands in Monroe county;

The engrossed bill [No. 70] to incorporate the town of Vevay;

The engrossed bill [No. 98] to change the name of the town of Somerset; and,

The engrossed bill [No. 74] to incorporate the Laporte Canal and Rail Road Company;

Ordered, That they be entitled acts, and that the Clerk carry them to the Senate and ask their concurrence therein.

Bills on their second reading were next considered.

The bill (No. 46) to legalize the proceedings of the board of commissioners of the county of Lawrence.

The bill [No. 47] to locate a state road from Booneville to Jasper.

The bill [No. 48] to make the Knox county Agricultural Society, a branch of the State Agricultural Society of Indiana;

The bill [No. 50] declaring the county road from Owensville to the mouth of the Patoka in Gibson county, a state road;

The bill [No. 54] to locate a state road from New Albany in Floyd county, to Mauksport in Harrison county;

The bill [No. 53] to establish a certain state road therein named; &

The bill [No. 55] to establish a certain state road therein named, &

The bill [No. 56] to locate a state road from New Albany to Charles-town;

Were severally read the second time, and

Ordered, To be engrossed and read a third time to-morrow.

The bill [No. 8] of the Senate to repeal the act entitled an act to amend the several acts regulating the jurisdiction and duties of justices of the peace in the several counties therein named, was read the second time.

Mr. Murray moved to amend said bill by striking out thereof "Orange county;"

Which was decided in the affirmative; and,

On motion of Mr. Buell,

Ordered, That said bill do lie on the table.

The bill [No. 49] to amend an act entitled an act for assessing and collecting the revenue, approved Feb. 10, 1831, was read the second time, and,

On motion of Mr. Morris,

Laid on the table.

The bill [No. 51] amendatory of the act for opening and repairing public roads and highways, approved Feb. 10, 1831, was read the second time; when,

Mr. Stapp moved to lay it on the table;

Which motion prevailed.

And the House adjourned.

THURSDAY, JANUARY 7, 1836.

The House met.

Mr. Brown presented the petitions of Charles Henderson, George Merkle, James McCalley, and Hugh Graham and others, citizens of Carroll county, praying that the Wabash and Erie Canal may cross the Wabash river in the pool of a dam at Ballard's bluff;

Which,

On motion of Mr. Brown,

Was referred to the standing committee on canals and internal improvements, without reading.

Mr. Strain presented the petition of Christopher Wenkle and others, citizens of Washington and Crawford counties, on the subject of a state road therein named;

Which was read and referred to a select committee of Messrs. Strain, Phelps, and Murray.

Mr. Phelps presented the petition of Nathaniel Hobbs and Archibald Allen, preferring charges against Thomas L. Golden, a justice of the peace of Crawford county;

Which was read, and,

On motion of Mr. Phelps,

Referred to the judiciary committee.

Mr. Morris presented the petition of A. Hill and others, praying an act to suppress gaming;

Which was read, and,

On motion of Mr. Morris,

Laid on the table.

Mr. Evans moved to dispense with the previous orders of the day, and that the committee of the whole, to which was referred

The bill (No. 100) to suppress gaming be discharged from the further consideration thereof;

Which motion was decided in the negative.

Mr. Morris then moved that the petition of A. Hill and others, praying an act to suppress gaming, be taken from the table, and referred to the same committee of the whole, to which was referred

The bill (No. 100) to suppress gaming;

Which motion carried in the affirmative.

Mr. Thompson of L. presented the petition of Wm. McLane, and others, praying an act incorporating an insurance company in the town of Bedford;

Which was read, and,

On motion of Mr. Thompson of L.,

Referred to a select committee.

Ordered, That Messrs. Thompson of L., Morris, and Eggleston be that committee.

Mr. Johnston from the committee on enrolled bills, reported that they did on this day, present to his Excellency the Governor, for his approval and signature, a bill which originated in the House of Representatives, entitled as follows, to-wit:

No. 52—An act to incorporate the Madison Water and Manufacturing Company.

Mr. Stapp from the judiciary committee, made the following report:

Mr. SPEAKER—

The judiciary committee, to which was referred a resolution to inquire into the expediency;

1st. Of transferring the county business to a court composed of the oldest magistrates in each county.

2d. Of granting appeals from justices' courts in criminal cases, when the fine does not exceed three dollars.

3d. Of amending the law regulating grist mills and millers.

4th. Of amending the law relative to weights and measures.

5th. Of incorporating judicial townships so as to afford a uniform system of doing county business.

6th. Of allowing judgment to go by default in all cases where the defendant is duly notified in actions of assumpsit and debt, and fails to attend before the justice in such case.

7th. Of allowing a longer time to justices of the peace to fill the transcript in cases of appeal.

8th. Of amending the act relating to distress for rent, in such manner, that the defendant cannot question his landlord's title to the premises, where he may issue his warrant to collect his rent.

9th. Of amending the law relating to the trial of the right of property, so as to make the claimant give security for costs.

10th. Of amending the acts subjecting real and personal estate to execution.

11th. Of amending the 26th section of the justices act so that the plaintiff in awarding his cause or succinct statement shall not exceed the amount endorsed on the back of the process.

12th. Of amending the justices act so as to provide that the defendant, in the absence of the plaintiff, may file a plea in abatement before the justice should be authorized to grant a non-suit.

13th. Of revising all forms in the justices act and to declare them to be the law of the land.

14th. Of amending the law relative to estrays so as to make the bonds authorized to be given in that event, payable to some person.

15th. Of so amending the practice act as to deprive any party the right to require jurors *de medietate lingue*.

16th. Of amending the practice act so as to require resident plaintiffs in certain cases, to give security for costs.

17th. Of amending the chancery act so as to authorize the parties to hear testimony *viva voce*, where they may agree to do so, as also to take testimony *viva voce* in all cases where it is now necessary to file a bill of discovery.

18th. Of appointing by law a suitable person to arrange and condense and prepare for publication, the common and statute laws of the state, the subjects to be arranged in alphabetical order, after the same manner as the best law digest.

19th. Of allowing prosecuting attorneys a salary for their services, and providing that their present fees shall be paid into the State Treasury.

20th. Of establishing courts of quarter sessions, to be holden by the associate judges, to try criminal offences and petit misdemeanors, &c., except treason, murder, man slaughter, burglary, robbery, perjury, and grand and petit larceny.

21st. Of amending the act relative to crime and punishment so as to increase the punishment of rioters where their number shall exceed twelve.

22d. Of amending the probate law so as to offer for sale the rents and profits of infants' estates for seven years, before selling the princi-

pal, in all cases where their real property is sold to pay their debts.

Also the petition of W. A. Banks and others, from Orange county, praying a law to prevent deputy clerks from practicing law in certain courts.

Also the petition of Thomas Bennett relative to mill privileges, have had the same under their consideration and have instructed me to report that it is inexpedient to legislate on the several subjects above named, and to ask to be discharged from the further consideration thereof;

Which was read, when,

Mr. Morris moved to re-commit the 6th, 12th, 13th, and 14th propositions therein contained;

Which motion was decided in the negative,

And said report was then concurred in.

Mr. Huntington from the committee on education, to which was referred a petition on that subject, reported

A bill (No. 115) authorizing the trustees of congressional township No. 15 and range one west, in the county of Dearborn, to sell and convey the sixteenth section in said township, to certain persons therein referred to;

Which was twice read, (the rules of the House having been dispensed with) and,

On motion of Mr. Huntington,

Committed to the committee on education.

Mr. Vandever from the committee on military affairs, to which was referred a resolution on that subject, made the following report:

MR. SPEAKER—

The committee on military affairs, to which was referred a resolution of the House directing an inquiry into the expediency of instructing our Senators and requesting our Representatives in Congress to use their exertions to procure the passage of a law repealing the act of Congress establishing the Military Academy at West Point, have had the same under consideration, and have directed me to report, That they maturely deliberated upon the subject referred to them, and entertain serious doubts of the utility and propriety of continuing as a national institution, the military academy at West Point. It is believed that said institution has grown up into a monopoly, dangerous in its consequences, in which alone are educated the sons of the office-holders and wealthy portion of community; that it operates as a drain upon the national treasury of \$118,566 52 annually, to-wit: For the pay of professors and subsistence of cadets, \$93,566 52, and for academic purposes \$25,000, as will appear by a reference to the report of the chairman of the fiscal committee of the board of visitors, which several amounts are paid for the support and education of numerous cadets, who are elevated to the important offices in the army, as also in the engineering department, thereby operating as a great restraint upon

the laudable ambition of the youth of our country, who would otherwise amply qualify themselves to fill the high and responsible stations of the government. Your committee are constrained to believe that the feelings of the students of said institution, from the circumstances by which they are surrounded, are not assimilated to and identified with the feelings of the great body of community. It will be readily admitted that any institution to flourish and prove beneficial to the public, must have the confidence of the community by which it is surrounded, and for whose immediate benefit it is instituted. The experience of past ages has proved that any monopoly is repugnant to the genius and true spirit of our republican institutions, having a tendency more or less to withdraw power from the many to the few. The history of the past is sufficient to prove clearly, that of all the various institutions which can be established in our government, that of a military character is the most dangerous. Believing that strong objections of the nature alluded to do exist in the public mind, from the very manner in which said institution is conducted; and believing that all the beneficial results to be derived from its establishment, may be attained in a way far less objectionable, and in a manner better calculated to promote the general welfare and prosperity of the country, your committee recommend the passage of the following joint resolution:

A joint resolution (No. 116) on the subject of the West Point Academy;

Which was read the first time and passed to a second reading; when,

Mr. Morris from said committee, made the following counter report of the minority of said committee:

The minority of the committee on military affairs, to which was referred the resolution of the House to inquire into the expediency of memorializing Congress to abolish the United States Military Academy at West Point, beg leave to make the following counter report:

The establishment of a standing army was a matter of deep consideration to those upon whom devolved the duty to provide the means for the protection of our government. Many, however, have more recently adopted the idea that the maintenance of even the small army now in existence was an expense that the exigencies of our country would never demand. The chief argument advanced in support of this opinion is that our territorial position with respect to other civilized nations, and the almost annihilated state of the once powerful hordes of savages on our borders, either render the prospect of the employment of land forces extremely remote or entirely preclude the possibility of their future use.

The obvious facility with which our northern frontier could be invaded and the heart of our country penetrated by Canadian forces, the ease with which troops might be introduced through the Mexican territory, and our whole southern line insulted before aid could be procured from the ordinary militia levies, must expose the fallacy of such

argument. Besides this, our standing in the scale of nations will always render our actions conspicuous; (were we even entirely isolated from land communication with other governments) this alone would render us eminently liable to be assailed. Time was, when to cross the Atlantic was an achievement in itself sufficiently hazardous to prevent ordinary schemes of conquest; but now the improved facilities for navigation have brought both continents to a proximity in which neither can be secure from the designs of the other. These considerations alone, appear to your committee not only to warrant the maintenance of a standing army, but justify every exertion to render it as efficient as a liberal scheme of government will allow.

The ultimate question however, presented by the resolution under consideration, seems to be, whether the ordinary mode of commissioning officers from the line of the army, or promiscuously from citizens, is a more efficient and salutary method than that of previously testing their qualifications for command by a probationary service in the academy at West Point? Your committee in the solution of this question, will take the liberty to present the views of some of the wisest and best of our patriots.

The establishment of a military academy was a desideratum manifest to all who periled their lives and fortunes for the existence of our institutions. "They perceived that the capacity for command could be understood and exercised only by those whose intellectual faculties have been carefully cultivated," and whilst they accorded ample testimony to the bravery and ardor of all engaged in the revolution, none pretended to deny that the struggle would have sooner terminated, had those gallant soldiers been led in every case by men more skilled in the varied duties of the officer.

The institution of a military academy appears to have suggested itself to the father of his country, among the other important improvements originating in the soundness of his judgment. In his annual message to Congress dated 3d Dec., 1793, he makes the inquiry, "whether a material feature in the improvement" in the system of defence "ought not to be, to afford an opportunity for the study of those branches of the art which can scarcely ever be attained by practice alone."

The language of Mr. Jefferson on the same subject is still more explicit. He remarks, "The institution of a military academy is recommended by cogent reasons. However pacific the general policy of a nation may be, it ought never to be without an adequate stock of military knowledge for emergencies. The first would impair the energy of its character, and would both hazard its safety and expose it to greater evils when war could not be avoided.

"Whatever argument may be drawn from particular examples superficially viewed, a thorough examination of the subject will evince that the art of war is extensive and complicated—that it demands much previous study, and that the profession of it in its most improved and perfect state is always of great moment to the security of a nation. This, therefore, ought to be a serious care of every government, and for this purpose an academy, where a regular course of instruction is

given is an obvious expedient, which different nations have successfully employed."

The subject of military instruction was thoroughly considered in a communication of Mr. McHenry, head of the war department, which was transmitted to Congress by President Adams, designating it as "containing matter in which the honor and safety of the country are deeply interested." A few extracts from that communication will perhaps place the consequences of such an institution in as conspicuous a point of view, as the efforts of a comprehensive and discriminating mind are capable of effecting: 'No sentiment, (says Mr. McHenry,) can be more just than this: that in proportion as the circumstances and policy of a people are opposed to the maintenance of a large military force, it is important that as much perfection as possible be given to that which may at any time exist.

"Since however, it seems to be agreed that we are not to keep on foot numerous forces, and it would be impossible on a sudden to extend to every essential point our fortifications; military science in its various branches ought to be cultivated with peculiar care in proper nurseries, so that a sufficient stock may always exist, ready to be imparted and diffused to any extent. This will be to substitute the elements of an army for the thing itself and will greatly tend to enable the government to dispense with a large body of standing forces, from the facility which it will give of procuring officers and forming soldiers promptly in all emergencies.

"To avoid great evils we must always have a respectable force for service, or the means of preparing such a force with certainty and expedition. The latter as most agreeable to the genius of our government, is the object of the following propositions:

Here follows his proposed system of instruction in the military academy.

From these extracts it will be seen that the military academy was considered an object of the highest importance, and by men too, whose least suggestion is almost entitled to the veneration of a political axiom.

Other governments have discovered the value of such institutions.—Even in States where large standing armies always exist, it is still thought indispensable to cultivate the theory of war in all its branches before necessity compels them to learn, "to preserve that knowledge," in the language of President Jackson, "both theoretical and practical, which education and experience alone can give, and which if not acquired and preserved in time of peace must be sought under great disadvantages in time of war."

Acting from a conviction of these truths, England has her Royal Military Academy—her practical school for engineers, and her Royal Academy of artillery and engineers,—France her Polytechnic school, in which theory alone is taught, and her schools of application at Paris and Metz. Hanover, Russia, Prussia, and Sweden have also similar institutions; and can we who boast of our national importance, our rivalry and excellence in works of improvement, be so adverse to our interests, so reckless of the lives of our citizens, to send them to the

field to combat armies skilled in tactics and the various implements of war with such fearful odds against them? Contention in such cases must end too often in death or defeat.

Those who have been foremost in the establishment of our government have thought a military academy one of the best means of ensuring its protection.

Its advantages have been foretold and experience has confirmed the prediction. The character which such an education must give to those who enjoy it, the refinement of taste it infuses, the confirmation of correct habits it produces, must ever ensure a continuation of results, which already place our army for intelligence and skill inferior to none in existence. Besides, the harmony of feeling, the strong attachments infused by a mental participation in the varied scenes incident to an academic life, this feeling perpetuated and invigorated by an after separation in discharge of their duties, must ever be one of the strongest bonds of our Union. And should our vessel of state ever be shattered by the shock of conflicting interests, this is the rock on which its hallowed fragments may again be united.

As further evidence, if more were wanting, of the usefulness, nay, even necessity of this institution, your committee will present a few short extracts from the messages of Mr. Jefferson, Mr. Madison, Mr. Monroe, and Gen. Jackson.

Mr. Jefferson remarks that "the scale on which the military academy at West Point was originally established, is become too limited to furnish the number of well educated subjects in the different branches of artillery and engineering which the public service calls for."

Mr. Madison in his message dated 5th Dec., 1815, urged "an enlargement of the military academy and the establishment of others in other sections of the union. If, (said he) experience has shown in the recent splendid achievements of the militia, the value of this resource for public defence, it has shown also, the importance of that skill in the use of arms, and that familiarity with the essential rules of discipline, which cannot be expected from the regulations now in force."

In the annual message of Mr. Monroe in the year 1822, we find mention made of the institution in the most flattering terms: "good order is preserved in it, and the youth are well instructed in every science connected with the great objects of the institution. They are also well trained and disciplined in the practical parts of the profession. The military academy forms the basis in regard to science on which the military establishment rests. It furnishes annually after due examination, and on the report of the academic staff, many well informed youths, to fill the vacancies which occur in the several corps of the army; while others who retire to private life, carry with them such attainments, as under the right reserved to the several states to appoint the officers and to train the militia, will enable them by affording a wider field for selection, to promote the great object of the power vested in Congress of providing for the organizing, arming and disciplining the militia."

Our present chief magistrate views the Academy in its present situ-

ation, the situation in which it is complained of. He sees the effects which its enemies recount as objections to its perpetuity, and yet he says, "the present system of military education has been in operation sufficiently long to test its usefulness; and it has given to the army a valuable body of officers. It is not alone in the improvement, discipline, and operation of the troops that these officers are employed &c." Here, as it will be recollected by all, he enumerates the various spheres of usefulness to which the knowledge of officers is continually employed in time of peace. Thus we have seen that every President, from the immortal Father of his Country to the present chief magistrate, with the exception of one, has not only favored the institution, but has recommended it to the special notice and protection of Congress and his constituents.

Can more be said of any human institution? Your committee would not ask for more. They would not, however, have the temerity to deny that objections to the institution do exist. They would not hazard the assertion that improvements might not be made, either in its discipline, or its preparatory requisitions for admission—but whatever may be the improvements of which it is susceptible, we would ask is this the place to suggest them? Are we competent, at once, either to condemn it for its abuses, or amend its regulations, before inquiring how or in what it offends, or even before we are in a situation to gain that information necessary to the formation of a correct opinion? The best evidences we have of its excellence are the reports of the various boards of visitors, which have annually examined that institution. When has a board ever suggested a radical alteration? Have they not invariably approved of its government, and asked an extension of the same designs which economy appears to have established there on a scale not sufficiently extensive?

Although no charges are made in the resolution under consideration. Your committee will nevertheless notice some of the objections to it, which general circulation alone has rendered prominent. It is commonly said that its principles have an aristocratical tendency, and that favoritism is a notorious offence in its administration.

An entire refutation of these charges is contained in the known fact that the discipline of the academy is strictly military—all there are taught to *obey* as well as command—to obey that they may know how to exercise the authority command confers on them; and *all* are drilled in the most servile duties of the common soldier. The manner in which admissions into the academy is regulated precludes as far as human institutions can, the possibility of an unequal share by any one class, of the benefits of the institution. Each state is districted and not more than one can be appointed from the *same* district, provided there are applications in each. These applications are forwarded to the Secretary of War, together with recommendations from such authority as will insure him of their fidelity. These are usually accompanied by the personal application in behalf of the candidate, of some one of the members of Congress from the state in which he resides, to which is

not unfrequently added the recommendation of the members of the Legislature of his state.

From these regulations each applicant has a surety in his claims being urged, and where there are conflicting applications, the success of the most worthy is ensured as much as responsibility to constituents and a high sense of honor can prompt the proper motive of preference. In what more equitable mode could admissions be effected? Can any means be devised for officering our army where a choice will not be liable to be influenced by unworthy considerations, as that now used in gaining admittance into the military academy? Suppose the military academy were abolished, what change would it make in the officering of our army? The change is simple it is true, but its consequences are worthy of our grave consideration. While the academy exists the rank of cadet is the lowest grade in the army, if it be discontinued, the rank of the second lieutenant will be the lowest. The average number of vacancies in the army for the last ten years is 25; the average number of admissions to the academy for the same period is 119. The opportunities for entering the army will therefore be diminished in the ratio of 119 to 25. Will the change then make it less exclusive? But it is thought it will be more popular, because the vacancies will be filled by selections from the body of the people. Will not the applications for these 25 lieutenantcies be made to the appointing power through the members of Congress and Legislature as they are now made for cadets warrants? How then will the opportunities for favoritisms be lessened?

"If these vacancies are to be filled from the mass of our citizens, there will be added to the army each year 25 lieutenants, to whom every branch of duty and service will be new;" and who after four years, instead of possessing the qualification of the graduates of the academy, will be very slightly, if at all, acquainted with the theory and science, and only tolerable with the practice of war. These are not the only disadvantages resulting from a change. A considerable pecuniary loss will be sustained to the government by it. "The pay of the 25 lieutenants for the four years will be \$75,800; that of the 25 cadets for the same time including every thing for their education will be \$46,200. The difference \$29,600 is the amount the nation will be required to pay for a change in the military establishment, which will deprive it of its great ornaments of talent, learning, and skill; and effect a general deterioration in the character of the officers and the army."

Of the 119 cadets who enter the academy, it is supposed that not more than 30 or 35 graduate annually. One half of those who do not graduate receive the benefit of two years instruction at the academy, the remainder that of one year. These on returning home are distributed through the whole country. And to be informed of the benefits conferred by this partial education, we have only to cast our eyes over the United States and see what a large proportion of these same young men are now engaged in the construction of the various public works in progress.

What better means we ask, can be devised, than those where from

extensive emulation the defeat consequent results in so much positive good, both to the individual and his country.

Another charge not unfrequently urged against the present institution is that the physical education is not sufficiently energetic. From the regulations of the academy the daily routine of the duties can be learned. Here we find the exercise of the body equalled in severity and regularity only, by those of the mind; all are compelled to participate in them. But the efficiency of this part of the discipline and the adaptation of the habits consequent, to the duties required, can be proved by example. The last few years have produced events, were there no other proof of the position, that conclusively attest their ability to endure fatigue even beyond the most robust of the common soldiery. The field duties of the artillery against the southern, the dragoons against the south-western, and the infantry against the north-western tribes of Indians, furnish evidence in abundance that charges of incompetency are made from ignorance, prejudice, or wilful injustice.

In a spirit of contradiction incident to a bad cause, the opposers of that institution after complaining of the inefficiency produced by a West Point education, furnish one of the best arguments to the contrary, in their complaints, that not only are all military offices filled by graduates; but that they encroach upon the civil. How far they do so, and the reason why such an encroachment is tolerated is sufficiently and satisfactorily explained to your committee in the last message of our present Chief Magistrate. He says, "It is not alone in the improvement, discipline, and operation of the troops, that these officers are employed. They are also extensively engaged in the administrative and fiscal concerns of the various matters confided to the War Department, in the execution of the staff duties usually appertaining to military organization, in the removal of the Indians, and in the disbursement of the various expenditures growing out of our Indian relations—in the formation of roads and in the improvement of our harbors and rivers—in the construction of fortifications, the fabrication of much of the *materiel* required for the public defence; and in the preservation, distribution, and accountability of the whole, and in the other miscellaneous duties not admitting of classification."

"These diversified functions embrace very heavy expenditures of public money, and require fidelity, science, and business habits in their execution; and a system which shall secure these qualifications is demanded by the public interest. That this object has been in a great measure obtained by the military academy is shown by the state of the service, and by the prompt accountability which has generally followed the necessary advances."

The minority have examined a few of the prominent and it is believed all of the material objections to the perpetuity of the military academy. They have traced its origin in the suggestions of him, whose every thought was for his country's glory. They have shown the fostering care extended to it by almost all into whose hands the administration of our government has been confided. They have seen that the brightest names which adorn the pages of our country's history

have been enrolled as the supporters of this, as one of the institutions which the maintenance of our liberties and the character of our country eminently demand. And they are constrained to believe that institutions conceived and supported by such men as Washington, Adams, Jefferson, Madison, Monroe, and Jackson, will become obnoxious to public censure only, when the love of country shall be extinguished in the bosom of a people prompt to appreciate the blessings conferred by a happy and free country.

A. W. MORRIS, SMITH MILLER, JONH ZENOR,
PHILIP MASON, THOMAS SMITH, WILLIHM WATT.

Which was read.

Mr. Huntington moved that five hundred copies of said reports each be printed;

Which motion was decided in the negative; when,

On motion of Mr. Evans,

The rules of the House were dispensed with and said joint resolution read the second time.

Mr. Evans then moved that said joint resolution be re-committed to the committee on military affairs, with instructions to amend the same so as to instruct our Senators and request our Representatives in Congress to use their exertions so to amend the law establishing the military academy at West Point, as to correct if possible any imperfections that may exist, and correct any abuses that may have crept into the regulations of said institution; and that they also use their exertions to procure an appointment by the President, of two persons in each state, to visit said institution, and report to the legislatures of the different states, any imperfections or abuses they may discover to exist;

Which motion was decided in the negative; when,

Mr. Chamberlain moved to indefinitely postpone said resolution,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Chamberlain, Chambers, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Edwards, Eggleston, Gregg, Hannaman, Harris, Howell, Macey, Mason, Morris, Nave, Phelps, Posey, Ray, Smith, Stapp, Thompson of A., Vawter, Watt, Whitman, Zenor, and Smith, Speaker—29.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Brown, Buell, Carran, Carr, Chiles, Clark of Washington, Cole, Cushman, Dunning, Edmonston, Evans, Graham, Harrow, Howard, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Jones, Lee of B., Lee of M. and C., McCarty, Miller, Moore, Myers, Ristine Storm, Strain, Templeton, Thompson of J., Thompson of L., Vandever, Walker of D., Walker of S., Willett, and Wilson—41.

And so said joint resolution was not indefinitely postponed.

Mr. Willett then moved to reconsider said vote,
And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bennett, Brown, Carnan, Chamberlain, Chambers, Collins, Craig of M., Craig of P., Curtis, Davis, Eggleston, Gregg, Harris, Howell, Huntington, Jackson, Jones, Macey, Mason, Morris, Nave, Phelps, Posey, Ray, Smith, Stapp, Thompson of A., Thompson of J., Thompson of L., Vawter, Watt, Whitman, Willett, Zenor, and Smith Speaker—36.

And those who voted in the negative are,

Messrs. Bardwell, Boone, Buell, Carr, Chiles, Clark of Wayne, Clark of Washington, Cole, Dunning, Edmonston, Edwards, Evans, Graham, Hannaman, Harrow, Howard, Hubbard, Huckleberry, Johnston, Lee of B., Lee of M. and C., McCarty, Miller, Moore, Ristine, Storm, Strain, Templeton, Vandever, Walker of D., Walker of S., and Wilson,—32..

And the question then recurring on the the indefinite postponement,
And the ayes and noes being requested thereon by two members.

Those who voted in the affirmative are,

Messrs. Armstrong, Bennett, Brown, Carnan, Chamberlain, Chambers, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Eggleston, Gregg, Hannaman, Harris, Howell, Huntington, Jackson, Jones, Macey, Mason, Morris, Nave, Phelps, Posey, Ray, Smith, Stapp, Thompson of Allen, Thompson of Lawrence, Vawter, Watt, Whitman, Willett, Zenor, and Smith Speaker—37.

And those who voted in the negative are,

Messrs. Bardwell, Boone, Buell, Carr, Chiles, Clark of Washington, Cole, Dunning, Edmonston, Edwards, Evans, Graham, Harrow, Howard, Hubbard, Huckleberry, Johnston, Lee of Bartholomew, Lee of M. and C., McCarty, Miller, Moore, Ristine, Storm, Strain, Templeton, Thompson of Johnson, Vandever, Walker of D., Walker of S., and Wilson,—30.

And so said joint resolution was indefinitely postponed.

A message from his Excellency the Governor, by Mr. Ketcham his private Secretary:

MR. SPEAKER—

I am directed by his excellency, the Governor, to inform the House of Representatives that on the 6th Jan. 1836, he approved an act entitled
An act incorporating the Madison Water and Manufacturing Company.

Mr. Bennett, from the committee on claims, made the following report:

The committee on claims, to which were referred the claims of Oliver H. Smith, Benj. Rodgers, Francis Kaufman, and Thomas Woollen, have examined their respective claims, and have directed me to recommend to the House the adoption of the following resolution:

Resolved, That the committee of ways and means be directed to allow in the specific appropriation bill, to Oliver H. Smith, the sum of fifty dollars for the performance of duties assigned him by the Legislature at their last session, in going to, while at, and returning from Columbus, Ohio; to Benjamin Rodgers twenty-five dollars for 11 days services and the per centum on \$173 12½ of money, by him collected and paid into the State Treasury, as superintendent of Jackson lick reservation; to Francis Kaufman eleven dollars, and to Thomas Woollen eight dollars, for work by them done in the State House;

Which was read and concurred in by the House.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed without amendment engrossed bills from the House of Representatives, entitled as follows to-wit:

No. 36—An act to locate a state road from Portage Point to the state line;

No. 37—An act to locate a state road from South Bend to the north line of the state;

No. 38—An act to locate a state road from the north line of the state in the direction of Chicago;

No. 94—An act to repeal in part the act entitled an act for assessing and collecting the revenue, approved Feb. 10, 1831, and for other purposes;

Also engrossed bills of the Senate of the following titles:

No. 22—An act to amend the act entitled an act regulating the taking up of animals going astray and water crafts and other articles of value going adrift, app'd. Feb. 7, 1835;

No. 26—An act to amend the execution law;

In which bills of the Senate the concurrence of the House of Representatives is requested.

The engrossed bill of the Senate (No. 22) named in said message, to amend an act regulating the taking up of animals going astray and water crafts and other articles of value going adrift; and,

The engrossed bill of the Senate (No. 26) therein named, to amend the execution law;

Were severally read the first time and passed to the second reading on to-morrow.

The following additional message was also received from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has concurred in the amendment made by the House of Representatives to the first amendment of the Senate to the engrossed bill from the House of Representatives,

No. 9—To incorporate the Madison Savings Institution.

And the House adjourned.

2 o'clock, P. M.

The House met.

Mr. Johnston from the select committee, to which was referred a resolution on that subject, reported

A bill (No. 117) to amend an act regulating the taking up of animals going astray, and water crafts and other articles of value adrift, approved Feb. 9, 1831;

Which was read the first time, and passed to a second reading on tomorrow.

Mr. Buell from a select committee, made the following report:

Mr. SPEAKER—

A majority of the select committee, to which was referred the petition of John Stephenson on the subject of a lunatic asylum, have directed me to report, that they deem it inexpedient to legislate on that subject at present;

Which was read and concurred in by the House.

Mr. Moore from a select committee, made the following report:

The select committee, to whom was referred a resolution in relation to marks, have had that subject under their consideration and find the subject matter therein contained, reported by a bill to this House and deem further legislation on that subject inexpedient, and ask to be discharged from further consideration of that subject.

Which was read and concurred in by the House.

Mr. Edwards from the select committee, to which was referred a petition on that subject, reported

A bill (No. 118) to organize the county of Jay;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Curtis from a select committee, made the following report:

The select committee, to whom was referred the petition of Silas

Bond and others, praying the re-location of a certain state road therein named, and also the remonstrance of Milton Graves and others against the same, have according to order, had the several matters and things therein contained under their consideration and have directed me to report that legislation on that subject is inexpedient;

Which was read and concurred in.

Mr. Armstrong, (having obtained leave,) presented the petition of Andrew Fite and others, praying the construction of a rail road from Indianapolis to Jeffersonville;

Which was read, and,

On motion of Mr. Armstrong,

Referred to the committee on canals and internal improvements.

Mr. Chiles (having obtained leave) presented the petition of Nathaniel Hawkins and others, citizens of Putnam county, praying a new survey of the contemplated New Albany and Crawfordsville rail road, and that Spencer may be made a point in said road;

Which,

On motion of Mr. Chiles,

Was referred to the committee on canals and internal improvements without reading.

On motion of Mr. Walker of S.,

Resolved, That the judiciary committee be instructed to inquire into the expediency, of so amending our stray laws, as to make it the duty of clerks of circuit courts, to make out from their estray books monthly copies, or abstracts of estrays, and forward them to the public printer at Indianapolis, and that he should monthly print the same on a large sheet, and forward one copy to each clerk's office in the state.

On motion of Mr. Craig of M.,

Resolved, That the committee on elections be instructed to inquire into the expediency of so amending the 11th sec. of an act entitled an act to regulate the mode of doing county business in the several counties in this state approved Jan. 19, 1831, so as to confine the election of county commissioners to the respective districts in which they reside, and to change the time of electing such commissioners from the first Monday in August, to the first Monday in April, and confine each elector to vote in his own township, at such election, & report by bill or otherwise.

On motion of Mr. Huntington,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing by law, for a general revision of the statute laws of this state, with leave to report by bill or otherwise.

On motion of Mr. Hubbard,

Resolved, That the committee on the judiciary inquire into the expediency of abolishing the office of circuit prosecuting attorneys, and of providing by law for the election of such officers in each county in this state, by the people or for the appointment by the circuit court.

On motion of Mr. Walker of S.,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending the present practice act, as that all pleadings be filed in vacation.

On motion of Mr. Chamberlain,

Resolved, That the committee on public buildings be instructed to inquire into the expediency of uniting the duties of librarian of the state library, and the keeper of the state house, in one and the same person, and of making such officer such compensation as the nature of these duties may require.

Mr. Curtis presented

A bill (No. 119) to establish a certain state road therein named;

Which was read the first time, and passed to a second reading on tomorrow.

Mr. Phelps presented

A bill (No. 120) to amend an act to incorporate the Crawford county seminary, approved Feb. 7, 1835;

Which was read the first time and passed to a second reading on tomorrow.

On motion of Mr. Morris,

The previous orders of the day were for the present postponed, and the House resolved itself into a committee of the whole on the bill,

No. 100—to suppress gaming, and also, a petition on the same subject,

And after some time spent therein, the Speaker resumed the Chair, and Mr. Johnston reported progress, and asked leave to sit again;

Which leave was granted by the House.

Mr. Jackson, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bill which originated in the Senate of the following title, to-wit:

No. 15—An act for the apportionment of Senators and Representatives in the General Assembly of this State.

And find the same truly enrolled.

A Message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has adopted the following resolution, viz:

Resolved, That the Senate will (the House of Representatives concurring therein) proceed to the election of a Canal Commissioner, on Monday next, at 10 o'clock, A. M. to fill the vacancy of David Burr, whose term of service will expire during the present session of the General Assembly.

In which the concurrence of the House of Representatives is requested; and Mr. Elliott is appointed teller on the part of the Senate;

Which was read, when,

On motion of Mr. Stapp,

Resolved, That the House of Representatives reciprocate the resolution of the Senate, for the going into the election of Canal Commissioner, on Monday next.

Ordered, That Mr. Stapp, be appointed teller on the part of the House.

Mr. Huntington, from the committee on education, to which was referred the bill,

No. 115—authorizing the school commissioner of Dearborn county to sell and convey certain school lands therein named;

Reported the same to the House, with one amendment;

Which was read and concurred in by the House, when,

On motion of Mr. Huntington,

The rules of the House were dispensed with, said bill considered as engrossed, and read a third time and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Vandever,

The House adjourned until Saturday, 3 o'clock, P. M.

SATURDAY, JANUARY 9, 1836.

3 o'clock P. M.

The House met pursuant to adjournment.

On motion of Mr. Eggleston,

The previous orders of the day were for the present postponed, and the bill,

No. 89—to enable the school commissioners of the several counties of this state to correct the returns of the collectors;

When,

On motion of Mr. Eggleston,

The rules of the House were dispensed with, said bill considered as engrossed, read a third time and passed.

Ordered, That the clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Liston,

The committee of the whole to which was referred the bill,

No. 91—to organize the county of Porter, was discharged from a further consideration thereof, when,

On motion of Mr. Liston,

Said bill was recommitted to a select committee.

Ordered, That Messrs. Liston, Chamberlain, and Brown be that committee.

Mr. Kilgore (having obtained leave) presented

A joint resolution (No. 121) on the subject of the public lands,

Which was read the first time,

Mr. Dunning moved to dispense with the rules of the House, and that said joint resolution be read a second time.

Mr. Vandever then moved to reject said joint resolution,
And before the question thereon was had,
The House adjourned.

MONDAY JANUARY 11, 1836.

The House met.

Mr. Harris presented the petition of Ephraim Owens and others, citizens of Greene county, praying the continuation of the Mount Pleasant and Bloomfield state road, from where it intersects the Vincennes state road in the forks of White and Eel rivers in Greene county, to Bowlinggreen in Clay county;

Which was referred to a select committee of Messrs. Harris, Moore, and Storm, without reading.

Mr. Harris also presented the petition of Ephraim Owens and others, citizens of Greene county, praying a change in the road leading from Greencastle to Carlisle;

Which,

On motion of Mr. Harris,

Was referred to a select committee, without reading.

Ordered, That Messrs. Harris, Chiles, and Harrow be that committee.

Mr. Miller presented the petition of Robert Stockwell and others, citizens of Gibson county, praying the construction of a McAdamized turnpike road from New Albany to the Wabash river, opposite Mount Carmel;

Which was read, and,

On motion of Mr. Miller,

Referred to the committee on canals and internal improvements.

Mr. Nave presented the remonstrance of Hiram Britain and others, citizens of Hendricks county, against a petition of sundry citizens of said county of Hendricks, praying a repeal in part of the act regulating the jurisdiction and duties of justices of the peace, so far as the provisions thereof extend to the said county of Hendricks;

Which,

On motion of Mr. Nave,

Was referred to the judiciary committee, without reading.

Mr. Boone presented the petition of Woolery and others, of the county of Lawrence, praying an appropriation of money to repair a certain state road therein named;

Which,

On motion of Mr. Boone,

Was referred to the committee on roads, without reading.

Mr. Dunning presented the petition of John G. Lee and others, citizens of Monroe county, praying an act declaring Clear creek a public highway in Monroe county;

Which,

On motion of Mr. Dunning,

Was referred to a select committee, without reading.

Ordered, That Messrs. Dunning, Moore, and Craig of P. be that committee.

On motion of Mr. Carnan,

The previous orders of the day were for the present postponed, and

The bill (No. 58) respecting the borough of Vincennes, was read the second time by its title, and,

On motion of Mr. Carnan,

Committed to the judiciary committee.

Mr. Dunning presented the petition of William Abscondle and others, citizens of Monroe county on the subject of a certain state road therein named;

Which,

On motion of Mr. Dunning,

Was referred to the same committee to which was referred a petition on the same subject.

Mr. Posey presented the petition of Jonathan Sherman and others, citizens of Rush county, praying amendments to the present road law;

Which was read, and,

On motion of Mr. Posey,

Referred to the committee on roads.

Mr. Chiles presented the remonstrance of B. S. Cunningham and others, against the petition heretofore presented, praying a change in the route of the contemplated New Albany and Crawfordsville Rail or Turnpike road;

Which;

On motion of Mr. Chiles,

Was referred to the committee on canals and internal improvements, without reading.

Mr. Macey presented the petition of sundry citizens of the counties of Wayne, Henry, and Delaware, praying the construction of a rail or turnpike road from Dublin in Wayne county, *via* New Castle to Muncietown in Delaware county;

Which were referred to the committee on canals and internal improvements, without reading.

Mr. Huntington presented the petition of C. T. Noble and others, of the town of Terre Haute, praying that the corporation of said town may be extended to embrace all the in and out lots of said town; and also the remonstrance of C. Gilbert and others, citizens of said town of Terre Haute, against said petition;

Which,

On motion of Mr. Huntington,

Were referred to a select committee, without reading.

Ordered, That Messrs. Huntington, Carnan, and Eggleston be that committee.

The House then proceeded to consider bills on their third reading, engrossed bills of the following titles, viz:

A bill (No. 46) to legalize the proceedings of the board of commissioners of the county of Lawrence.

A bill [No. 47] to locate a state road from Booneville to Jasper.

A bill [No. 48] to make the Knox county Agricultural Society, a branch of the State Agricultural Society of Indiana;

A bill [No. 53] to establish a certain state road therein named;

A bill [No. 54] to locate a state road from New Albany in Floyd county, to Mauksport in Harrison county;

A bill (No. 55) to establish a certain state road therein named,

A bill [No. 56] to locate a state road from New Albany to Charlestown;

A bill (No. 102) to amend an act for the relief of the poor, approved Feb 10, 1831, and,

A bill (No. 108) to incorporate the Indiana Baptist Education Society and the Indiana Baptist Manual Labor Institute;

Were severally read the third time and passed.

Ordered, That they be entitled acts, and that the clerk carry them to the Senate and ask their concurrence therein.

The engrossed bill of the Senate

No. 12—to continue in force an act for the benefit of persons who are likely to suffer by the destruction of the records of Parke county, approved Dec. 28, 1832, and also an act amendatory thereto, approved Jan. 8, 1834, and amendatory of an act entitled an act for the benefit of persons who are likely to suffer by the destruction of the records of Spencer county, approved Jan. 27, 1833, was read the third time and passed.

Ordered, That the Clerk carry the same to the Senate and ask their concurrence in the amendments of the House thereto.

Bills on their second reading were next considered.

The joint resolution (No. 57) of the State of Indiana, was read the second time and ordered to be engrossed and read a third time to-morrow.

The bill (No. 63) to incorporate the town of Indianapolis, was read the second time and ordered to be engrossed and read a third time to-morrow.

Mr. Brown having first obtained leave, presented

A bill (No. 122) to incorporate the Lafayette and Danville rail road company;

Which was twice read by its title, (the rules of the House having first been dispensed with), and,

On motion of Mr. Brown,

Committed to the judiciary committee.

The bill (No. 64) to change certain alleys in the town of Livonia, was read the second time, and,

On motion of Mr. Vandever,

Was considered as engrossed, read a third time and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

The bill (No. 65) to authorize a special county agent, was read a second time.

Mr. Willett moved to lay it on the table;

Which motion did not prevail; when

On motion of Mr. Morris,

Said bill was committed to a committee of the whole and made the order of the day for to-morrow.

The bill (No. 66) to provide for the election of a justice of the peace in the town of Brownsville, was read the second time; when,

On motion of Mr. Johnston,

The rules of the House were dispensed with, said bill considered as engrossed, read a third time and passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

The bill (No. 68) authorizing a state road from Troy to Paoli, was read the second time, and,

On motion of Mr. Phelps,

Referred to a select committee.

Ordered, That Messrs. Phelps, Vandever, and Howell be that committee.

On motion of Mr. Vandever,

The previous orders of the day were for the present postponed, and

The engrossed bill of the Senate (No. 13) to establish a certain state road therein named, in the counties of Perry, Crawford, and Orange, was read the second time and referred to the same select committee, to which was referred the bill of the House (No. 68) on the same subject.

The bill (No. 69) for the relief of James H. King, recorder of Monroe county, was read the second time, and,

On motion of Mr. Dunning,

The rules of the House were dispensed with, said bill considered as engrossed, read a third time and passed.

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

The bill (No. 71) declaring a county road leading from Mooresville in Morgan county, to Brite Prewetts farm a state road, and,

The bill (No. 72) to provide for changing a part of the state road leading from Martinsville in Morgan county, to Danville in Hendricks county,

Were severally read the second time and ordered to be engrossed and read a third time to-morrow.

The bill (No. 73) to empower Alexis Coquillard and others, to drain off the water of the Kankakee ponds, was read the second time.

On motion of Mr. Willett,

Said bill was amended; when,

On motion of Mr. Liston,

It was considered as engrossed, read a third time and passed, (the rules of the House having been dispensed with.)

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Evans from the committee on canals and internal improvements to which was referred sundry petitions and resolutions, on that subject, (having first obtained leave) presented

A bill [No. 123] to provide for the commencement of a general system of internal improvements;

Which was read the first time.

Mr. Evans moved that the rules of the House be dispensed with, and that said bill be read a second time,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Brown, Buell, Carnan, Chambers, Chiles, Clark of Wayne, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Evans, Gregg, Hannaman, Harrow, Harris, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Macey, Mason, McCarty, Moore, Murray, Morris, Myers, Nave, Posey, Ray, Ristine, Stapp, Storm, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, and Mr. Speaker—54.

And those who voted in the negative are,

Messrs. Armstrong, Carr, Chamberlain, Cole, Cushman, Edmonston, Edwards, Eggleston, Graham, Howard, Howell, Huckleberry, Jackson, Miller, Phelps, Smith, Steele, Willett, Wilson, and Zenor—20.

And so said bill was read the second time, and,

On motion of Mr. Evans,

Laid on the table.

Mr. Armstrong moved that 200 copies of said bill be printed; when,

A division of the question was called for,

And the question was then put,

Shall said bill be printed?

And the ayes noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Boone, Buell, Carr, Clark of Washington, Cole, Cushman, Edmonston, Edwards, Eggleston, Graham, Howard, Howell, Huckleberry, Jackson, Miller, Murray, Phelps, Smith, Steele, Wilson, and Zenor—23.

And those who voted in the negative are,

Messrs. Bardwell, Bennett, Brown, Carnan, Chamberlain, Chambers, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Evans, Gregg, Hannaman, Harrow, Harris, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. & C., Liston, Macey, Mason, McCarty, Moore, Morris, Myers, Posey, Ray, Ristine, Stapp, Storm, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, Willett, and Mr. Speaker—50.

And so said question was decided in the negative.

And the House adjourned.

2 o'clock, P. M.

The House met.

The Speaker laid before the House the annual report of the State Board of Agriculture, with accompanying documents;

Which said report was read; when,

On motion of Mr. Thompson of L.,

Said report and documents were laid on the table.

Mr. Evans having obtained leave moved the adoption of the following resolution;

Which was read and adopted, to-wit:

Resolved, That the Senate be informed that the House of Representatives are now ready to unite with them in proceeding to the election of a Canal Commissioner to fill the vacancy of David Burr, whose term of service will expire during the present General Assembly, and that the Senate be invited to attend in the Hall of the House of Representatives, and that seats will be provided for them on the right of the Speaker's Chair.

The Senate then came into the Hall of the House of Representatives and took their seats on the right of the Speaker's Chair,

The President of the Senate on the right of the Speaker;

When both Houses proceeded by joint ballot to elect a Canal Commissioner to fill the vacancy of David Burr, whose term of service will expire during the present General Assembly.

On counting the ballot it appeared that

David Burr received 51 votes for that office,

Elisha Long received 50 votes.

David Burr, having received a majority of all the votes given, was declared by the President of the Senate, in the presence of both Houses, duly elected Canal Commissioner for the term of three years from and after this date.

And the Senate withdrew to their Chamber.

The joint resolution (No. 121) on the subject of the public lands was considered, on the question of Mr. Vandever to reject the same,

pending before the House, when it adjourned on Saturday evening last,

And after some time spent in debating the same,
And before the question thereon was had,
The House adjourned.

TUESDAY, JANUARY 12, 1836.

The House met.

Mr. Davis presented the petition of H. B. Milroy and others, praying an appropriation on the road leading from Delphi to Muncietown;
Which,

On motion of Mr. Davis,

Was referred to the judiciary committee without reading.

Mr. Moore presented the petition of J. M. Allison and others, citizens of the town of Spencer in Owen county, praying that a part of the public common of said town may be vacated;

Which,

On motion of Mr. Moore,

Was referred to a select committee without reading.

Ordered, That Messrs. Moore, Dunning, and Murray be that committee.

Mr. Evans presented the petition of Moses Dudley and others, citizens of Fountain county, praying that the county road leading from Covington east to the line of Montgomery county;

Which,

On motion of Mr. Evans,

Was referred to a select committee without reading.

Ordered, That Messrs. Evans, Templeton, and Buell be that committee.

Mr. Vandever presented the petition of George Fawsett and others, citizens of Orange county, praying that Lost river bridge may be made a point on the contemplated New Albany and Vincennes, turnpike road;

Which,

On motion of Mr. Vandever,

Was referred to the committee on canals and internal improvements without reading.

Mr. Ray presented the petition of Thomas Tyner and others, citizens of the counties of Wayne, Henry, and Delaware, praying the construction of a turnpike or rail road from Dublin, via New Castle to Muncietown;

Which,

On motion of Mr. Ray,

Was referred to the committee on Canals and internal improvements without reading.

Mr. Chamberlain presented the petition of William G. Johnston and others, praying a state road from Lima in Lagrange county to the town of Huntington in Huntington county;

Which was referred to a select committee of Messrs. Chamberlain, Liston, and Thompson of A.,

Mr. Dunning presented the petition of William Fee and others, citizens of Monroe county, praying a revision of the laws of this state concernig negroes and mulattoes;

Which was referred to a select committee of Messrs. Dunning, Moore, and Vandever without reading.

Mr. Morris presented the petition of William Griffith, praying certain relief therein named;

Which,

On motion of Mr. Morris,

Was referred to the standing committee on roads without reading.

Mr. Morris presented the petition of Henry Davis and others, citizens of the counties of Hancock, Hamilton, Marion, and Boone, praying for a certain state road therein named;

Which was referred to a select committee of Messrs. Morris, Hannaman, and Bardwell without reading.

Mr. Harrow presented the petitions of sundry persons, citizens of the counties of Putnam, Montgomery, and Parke, praying the formation of a new county;

Which were referred to a select committee of Messrs. Harrow, Chiles, Lee of M. and C., Ristine, and Steele without reading.

Mr. Curtis presented the petition of Gabriel Newby and others, citizens of Wayne county, praying a change in the revenue law;

Which,

On motion of Mr. Curtis,

Was referred to the committee of ways and means without reading.

Mr. Chamberlain presented the petition of Isaac Spencer and others, of Noble county, praying the organization of said county;

Which was referred to a select committee of Messrs. Chamberlain, Thompson of A., and Mason without reading.

Mr. Chamberlain also presented the petition of H. C. Root and others, citizens of Elkhart and St. Joseph counties, praying a state road from Elkhart Village to intersect the Michigan road;

Which was referred to a select committee of Messrs. Chamberlain, Liston, and Hannaman.

Mr. Huntington presented the petition of C. T. Noble collector of Vigo county, praying for certain relief therein named;

Which,

On motion of Mr. Huntington,

Was referred to the committee on claims without reading.

Mr. Jackson from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bill which originated in the House of Representatives of the following title, to wit:

No. 94—an act to repeal in part the act entitled an act for assessing and collecting the revenue, approved Feb. 10, 1831, and for other purposes;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bill.

Ordered, That the clerk carry it to the Senate for the signature of their President.

Mr. Eggleston presented the remonstrance of Joseph Campbell and others, citizens of Switzerland county, against the petition heretofore presented, praying a certain state road therein named;

Which,

On motion of Mr. Eggleston,

Was referred to the committee on roads without reading; and,

On motion of Mr. Eggleston,

The said petition praying the location of said state road, was also referred to the committee on roads.

Mr. Liston presented the petition of the President, Directors, and Company of the St. Joseph Iron Works, praying that the name and style of said Company may be changed to "The St. Joseph Iron Company;"

Which was referred to a select committee of Messrs. Liston, Davis, and Willett without reading,

On motion of Mr. Evans,

The previous orders of the day were for the present postponed, and

The bill (No. 123) to provide for the commencement, and completion of a general system of internal improvements;

Was considered, when

Mr. Zenor moved to commit said bill to a committee of the whole, and make it the order of the day for to-morrow;

Which motion was lost.

Mr. Eggleston moved to amend said bill as follows, provided, however, and every thing in the three foregoing sections contained, is upon the following conditions and restrictions, to wit:

That so much of the 19th section of the act entitled an act to incorporate the Lawrenceburgh and Indianapolis rail road company, approved Feb. 2, 1832, as guarantees to said company that no person, body politic, or corporate shall in any way interfere with, molest, or disturb, or injure any of the rights and privileges hereby granted, or detract from, or affect the profits, of said corporation, be repealed, and every thing herein contained shall be on this further condition, to wit:

That nothing in the said act contained, shall be so construed as to prevent the state from constructing or authorizing the construction of another rail road, whenever the necessities of the country may require it, between the same or any of the points through which the rail road contemplated in said act may run; provided also that the Legislature may at any future time authorize a rail road to be constructed from any point on the Ohio river to join with the said contemplated rail road, under such restrictions and conditions as the Legislature may deem fitting,

The foregoing conditions and provisos shall be deemed and taken to be modifications of the act incorporating said rail road company, approved Feb. 2, 1832, so soon as the said rail road company shall receive any of the benefits conferred by this act on said company.

Which amendment did not prevail.

On motion of Mr. Evans,

Said bill was amended by striking out the first sec. from the enacting clause to the words, "joint resolution" including said words, and inserting in lieu thereof the following:

That six persons shall be appointed by the Governor, by and with the advice and consent of the Senate, who together with the present Canal Commissioners, shall constitute a Board of Internal Improvements, to serve three years from and after their appointment. The first appointment shall however be divided into three classes by lot at their first meeting. The term of service of the first class shall determine at the expiration of one year, the second class at the expiration of the second year, and the third class at the expiration of the third year, so that one third may be annually appointed so long as their services may be required, and shall be liable to be removed at any time, by impeachment or joint resolution.

Mr. Zenor moved to amend said bill as follows:

Sec. That the sum of one million dollars be and the same is hereby appropriated to the construction of a McAdanized turnpike road from New Albany via Corydon, Jasper, and Petersburg to the Wabash river, opposite Mt. Carmel in Illinois.

Mr. Edmonston then proposed to amend said proposed amendment to said bill, so as to make Leavenworth a point;

Which motion prevailed.

And the question then recurred on the adoption of said proposed amendment as amended,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Carr, Edmonston, Eggleston, Graham, Howard, Howell, Huckleberry, Jackson, Miller, Phelps, Willett, Wilson, and Zenor—14.

And those who voted in the negative are,

Messrs. Bardwell, Bennett, Boone, Brown, Buell, Carnan, Chambers, Chamberlain, Chiles, Clark of Wayne, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Harrow, Harris, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Macey, Mason, McCarty, Moore, Morris, Murray, Myers, Nave, Posey, Ray, Ristine, Smith, Stapp, Steele, Storm, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, and Smith, Speaker—59.

And so said amendment was lost.

Mr. Bennett moved to amend said bill by adding thereto the following, to be inserted in the bill as an additional section:

Sec. That the state of Indiana shall subscribe for and take one half of the stock in the White Water and Miami turnpike company, or in the Union and Wayne turnpike company, provided that either of said companies shall have subscribed the balance of stock in said corporation, and actually paid in twenty-five per cent. on each share of the same;

Which motion was decided in the negative.

Mr. Vandever moved to amend said bill by inserting in the proper place, after the word Paoli, "by the way of Lost river bridge;

Which motion did not prevail.

Mr. Buell moved to amend the bill by striking out the word "Vincennes" and insert "Lafayette;"

Which was negatived.

Mr. Armstrong moved to amend the 5th section of the bill, at the close of the 4th proposition in said section after the word "appropriated," by inserting "and a rail road from Jeffersonville to intersect the above mentioned rail road from Madison to Indianapolis, at the town of Columbus, or such other point on said road as in the opinion of the Board of Internal Improvements will best advance the interest of the State; to construct which, the sum of five hundred thousand dollars is hereby appropriated;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Carr, Clark of Wayne, Clark of Washington, Craig of M., Curtis, Cushman, Dunning, Edmonston, Eggleston, Evans, Graham, Harris, Howard, Howell, Huckleberry, Jackson, Jones, Kilgore, Lee of B., Miller, Moore, Murray, Nave, Phelps, Posey, Smith, Storm, Strain, Walker of D., Watt, Willett, Wilson, Zenor and Smith, Speaker—35.

And those who voted in the negative are,

Messrs. Bardwell, Bennett, Boone, Brown, Buell, Carnan, Chamberlain, Chambers, Chiles, Collins, Craig of P., Davis, Edwards, Hannaman, Harrow, Hubbard, Huntington, Johnston, Liston, Lee of M. and C., Macey, Mason, McCarty, Morris, Myers, Ray, Ristine, Stapp, Steele, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of S., and Whitman—37.

And so said amendment was lost.

Mr. Nave moved to amend said bill by inserting the word "Danville" after the word "Indianapolis" in that part of said bill that provides for constructing the Madison and Lafayette rail road;

Which motion did not prevail.

Mr. Kilgore then moved to amend the bill by striking out the proviso of the second proposition to the 5th section,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bennett, Edmonston, Edwards, Eggleston, Howard, Howell, Huckleberry, Kilgore, Phelps, Thompson of L., Walker of S., Watt, Willett, Wilson, Zenor, and Smith, Speaker—16.

And those who voted in the negative are,

Messrs. Bardwell, Boone, Brown, Buell, Carnan, Carr, Chamberlain, Chambers, Clark of Wayne, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Evans, Graham, Gregg, Hannaman, Harrow, Harris, Hubbard, Huntington, Johnston, Jones, Lee of B., Lee of M. and C., Liston, Macey, Mason, McCarty, Moore, Morris, Murray, Myers, Nave, Posey, Ray, Ristine, Smith, Stapp, Steele, Storm, Strain, Templeton, Thompson of A., Thompson of J., Vandever, Vawter, and Whitman—52.

And so said motion was decided in the negative.

Mr. Kilgore then moved to amend the same by adding to the second proposition of the 5th section, the following proviso:

But in case the lower or Pipe creek route should be adopted by said board, then and in that case they shall construct a navigable canal from some suitable point on the main line of said central canal, to Muncietown in Delaware county, which shall be of the same size of the main line, and shall be put under contract as soon as any part of said canal north of Indianapolis, and the expense thereof defrayed out of the moneys hereby set apart for the construction of the central canal;

Which motion was lost: when,

On motion of Mr. Huntington,

Said proposition was amended as follows, to-wit:

Which said feeder shall be of equal size and capacity of the main canal and placed upon the same footing with the main work, and also provided for in the same way.

And the House adjourned.

2 o'clock, P. M.

The House met

And resumed the consideration of the bill under consideration when the House adjourned.

Mr. Posey then moved to amend said bill as follows:

That the State of Indiana take one-half of the stock on the Indianapolis and Harrison turnpike road, whenever the other half is taken and secured by individual subscription;

Which was negatived.

Lr. Boone moved the following amendment to the 7th section of said bill:

And that the sum of \$10,000 be and the same is hereby appropria-

ted to remove the obstructions to the navigation in the eastern fork of White river, to be laid out under the supervision and control of the board of public works;

Which motion did not prevail.

Mr. Kilgore moved to amend said bill by striking out the word "Spencer" in the provision for the New Albany and Crawfordsville rail road;

Which motion was negatived.

Mr. Nave moved to amend the 5th section of the bill authorizing the construction of the Madison and Lafayette Rail Road by inserting after "Indianapolis" "Danville in Hendricks county;" provided that the citizens of said county shall, within three years from and after the first day of April next, construct three and a half miles of said road, under the direction of the board of internal improvements, at their own expense, within said county;

Which was decided in the negative.

Mr. Miller then moved the following amendment thereto;

Which was read and negatived, viz:

The Governor of this State is hereby authorized and directed to employ a competent engineer or engineers, who shall, during the ensuing summer or fall, make an examination, survey, and estimate of a route for a rail or turnpike road from Mt. Vernon *via* Princeton to Petersburg in Pike county; a detailed report of which survey and estimate, the cost of construction, the practicability and probable utility of which work, the said engineers shall report to the next legislature at as early a day as possible.

Mr. Murray moved to amend the bill by inserting the following clause in the 5th section:

And for the construction of a lateral turnpike from Fredericksburgh on the New Albany and Vincennes turnpike road, by way of Livonia in Washington county, Orleans in Orange county, to intersect the Crawfordsville turnpike or rail road at some convenient point; and for this purpose, that the sum of \$200,000 be, and it is hereby appropriated.

And before the question on the adoption thereof was had,

Mr. Evans called for the previous question;

Which call was seconded by a majority of the members present,

And was thereupon put,

Shall the main question be now put?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Brown, Carnan, Chamberlain, Chambers, Chiles, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Evans, Gregg, Hannaman, Harrow, Harris, Hubbard, Huntington, Johnston, Jones, Lee of Bartholomew, Lee of M. and C., Liston, Macey, Mason, McCarty, Miller, Moore, Morris, Murray, Myers, Posey, Ray, Ristine, Stapp, Storm, Strain, Templeton, Thomp-

son of Allen, Thompson of Johnson, Thompson of Lawrence, Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, and Smith Speaker—51.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Buell, Carr, Clark of Wayne, Cole, Cushman, Edmonston, Edwards, Eggleston, Graham, Howard, Howell, Huckleberry, Jackson, Kilgore, Nave, Phelps, Smith, Steele, Willett, Wilson, and Zenor—23.

And so said question passed in the affirmative.

And the question was thereupon put,

Shall said bill be engrossed for a third reading?

And on this question,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Brown, Buell, Carnan, Chamberlain, Chambers, Chiles, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Evans, Gregg, Hannaman, Harrow, Harris, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Macey, Mason, McCarty, Miller, Moore, Morris, Murray, Myers, Posey, Ray, Ristine, Stapp, Storm, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Walker of D., Walker of S., Watt, Whitman, Willett, and Smith, Speaker—55.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Carr, Clark of Wayne, Cole, Edmonston, Edwards, Eggleston, Graham, Howard, Howell, Huckleberry, Jackson, Nave, Phelps, Smith, Steele, Wilson, and Zenor—19.

And so said motion was decided in the affirmative.

Mr. Evans then moved that the rules of the House be dispensed with and that said bill be considered as engrossed and read a third time now.

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Brown, Buell, Carnan, Chamberlain, Chambers, Chiles, Clark of Wayne, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Evans, Gregg, Hannaman, Harrow, Harris, Hubbard, Huntington, Johnston, Jones, Lee of B., Lee of M. and C., Liston, Macey, Mason, McCarty, Miller, Moore, Morris, Murray, Myers, Posey, Ray, Ristine, Stapp, Storm, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, and Smith, Speaker—54.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Cole, Edmonston, Edwards, Eggleston, Graham, Howard, Howell, Huckleberry, Jackson, Kilgore, Nave, Phelps, Smith, Steele, Willett, Wilson, and Zenor—20.

And so said bill was considered as engrossed and read a third time;

When,

Mr. Huckleberry moved to re-commit said bill to the committee on canals and internal improvements, with instructions to make the following amendment thereto, viz:

That the Ohio and Indianapolis Rail Road Company shall have the credit of the state to the amount of \$500,000, on the same terms as the credit of the state is given to the Lawrenceburgh and Indianapolis Rail Road Company, by the 26th, 27th, 28th, and 29th sections of this act, and said company shall have the right to commence the work on said road at the Ohio river and to intersect the Madison, Indianapolis, and Lafayette Rail Road at the town of Columbus or such other point as said company may deem expedient.

Mr. Willett moved to amend said instructions as follows:

Strike out that part which provides for the appointment by the Governor and Senate and provide for electing the commissioners by joint ballot of the General Assembly; to abolish the office of fund commissioners and vest the fiscal powers in the State Board of Internal Improvement.

Mr. Kilgore moved to lay said bill with appending amendments on the table;

Which motion did not prevail.

Mr. Huckleberry then moved that the House adjourn until to-morrow morning;

And on this question,

Those who voted in the affirmative are,

Messrs. Armstrong, Bennett, Carr, Clark of Washington, Edmonston, Eggleston, Graham, Howard, Howell, Huckleberry, Kilgore, Miller, Nave, Phelps, Smith, Steele, Walker of D., Wilson, and Zenor—20.

And those who voted in the negative are,

Messrs. Bardwell, Boone, Brown, Buell, Carnan, Chamberlain, Chiles, Clark of Wayne, Cole, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Evans, Gregg, Hannaman, Harrow, Harris, Hubbard, Huntington, Jackson, Johnston, Jones, Lee of B., Lee of M. and C., Liston, Macey, Mason, McCarty, Moore, Morris, Murray, Myers, Posey, Ray, Ristine, Stapp, Stern, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of S., Watt, Whitman, Willett, and Smith, Speaker—54.

And so said motion to adjourn was decided in the negative.

Mr. Dunning called for the previous question;
 Which call was seconded by a majority of all the members present,
 And was thereupon put,
 Shall the main question be now put?
 Which was decided in the affirmative;
 And the question was thereupon put,
 Shall said bill pass?
 And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Brown, Buell, Carnan, Chamberlain, Chambers, Chiles, Clark of Wayne, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Evans, Gregg, Hannaman, Harrow, Harris, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Macey, Mason, McCarty, Miller, Moore, Morris, Myers, Posey, Ray, Ristine, Stapp, Storm, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, Willett, and Smith, Speaker—56.

And those who voted in the negative are,

Messrs. Armstrong, Carr, Cole, Edmonston, Edwards, Eggleston, Graham, Howard, Howell, Huckleberry, Jackson, Murray, Nave, Phelps, Smith, Steele, Wilson, and Zenor—18.

And so said bill passed.

Ordered, That it be entitled an act, and that Mr. Evans carry it to the Senate and ask their concurrence therein.

When,

On motion of Mr. Huntington,

The title of said bill was amended by striking out thereof the words "the commencement and completion of."

Mr. Kilgore having obtained leave, moved the following resolution:

Resolved, That the Hon. G. A. Everts be allowed to appear before the committee on the judiciary, by himself or counsel, for the purpose of examining and cross-examining witnesses in relation to the charges preferred against him.

Which was read and adopted.

And the House adjourned.

WEDNESDAY, JANUARY, 13, 1836.

The House met.

Mr. Dunning presented the petitions of James C. Lynn and Abraham Buskirk, and others, citizens of the counties of Lawrence and Monroe, praying a change in that part of the Leavenworth state road as lies between Bedford, Bloomington, and Martinsville;

Which was referred to a select committee of Messrs. Dunning, Craig of M., Boone, and Thompson of L., without reading.

Mr. Davis presented the petition of Lewis Buskirk, praying for certain relief therein named;

Which,

On motion of Mr. Davis,

Was referred to the judiciary committee, without reading.

On motion of Mr. Evans,

The vote taken on yesterday evening on the adoption of the resolution proposed by Mr. Kilgore, permitting the Hon. G. A. Everts, president judge of the 3th judicial circuit of this state, to appear by himself or counsel, before the judiciary committee, during the investigation of certain charges preferred against him, was re-considered; when,

On motion of Mr. Stapp,

Said resolution was amended by striking out the words "by himself and counsel."

Mr. Evans moved to further amend it by striking out the word "examine;"

Which motion did not prevail.

And the question then recurring on the adoption of the resolution as amended, was decided in the affirmative.

On motion of Mr. Stapp,

Leave of absence was granted to the judiciary committee during the day for the purpose of investigating certain charges against the Hon. G. A. Everts.

Mr. Storm presented the petitions of Thomas Warnick and others, citizens of Greene county, praying an act declaring Richland creek in said county, as far up as Berry's Deposit, a navigable stream;

Which,

On motion of Mr. Storm,

Was referred to a select committee, without reading.

Ordered, That Messrs. Storm, Moore, and Dunning be that committee.

Mr. Bardwell presented the petition of O. H. Swim, praying certain relief therein named;

Which,

On motion of Mr. Bardwell,

Was referred to the judiciary committee, without reading.

Mr. Gregg presented the petition of William Rodney and others, citizens of Dearborn county, praying an act of incorporation to a com-

pany to construct a bridge across the Miami river at or near its mouth,
Which was read and referred to a select committee of Messrs. Gregg,
Walker of D., and Howard.

Mr. Hubbard presented the petition of the citizens of the town of
Milton in Wayne county, praying an act incorporating said town;

Which was referred to a select committee of Messrs. Hubbard, Ray,
and Curtis without reading.

Mr. Collins presented the petition of H. Barnes and others, citizens
of the counties of Clark and Floyd, praying the construction of a canal
around the falls of Ohio;

Which was read and referred to a select committee of Messrs. Collins,
Armstrong, and Huckleberry.

Mr. Graham presented the petition of C. A. Hall and others, citizens
of Warrick county, praying a change in the state road from Princeton
in Gibson county to the Ohio river, opposite the Yellow Banks;

Which,

On motion of Mr. Graham,

Was referred to the committee on roads, without reading.

Mr. Brown presented the petition of Samuel Howard and others,
citizens of Switzerland county, praying an alteration and extension of
the state road from New York on the Ohio river, to the Bark works
in Switzerland county;

Which was referred to a select committee of Messrs. Brown, Eggle-
ston, and Howard, without reading.

Mr. Brown also presented the petition of Daniel Kelso and others,
praying for the incorporation of the town of New York in Switzerland
county;

Which was referred to a select committee of Messrs. Brown, Eggle-
ston, and Howard without reading.

Mr. Huntington having first obtained leave, presented

A bill (No. 124) to establish a state road from a point in the county of
Clay to the Wabash river, near the mouth of Honey creek in Vigo
county and thence to the state line;

Which was three times read (the rules of the House having first
been dispensed with), and passed.

Ordered, That it be entitled an act and that the Clerk carry it to
the Senate and ask their concurrence therein.

Mr. Hubbard presented the petition of the citizens of the town of
Washington in Wayne county, praying an act to vacate a certain street
therein named;

Which was referred to a select committee of Messrs. Hubbard,
Clark of Wayne, and Curtis, without reading.

Mr. Whitman presented the petition of Israel Crane and others, of
the town of New Albany in Floyd county, praying an act incorporat-
ing said town;

Which was read and referred to a select committee of Messrs. Whit-
man, Collins, and Huckleberry.

Mr. Jackson, from the joint committee on enrolled bills, reported
that they had compared the enrolled with the engrossed bills which

originated in the House of Representatives, of the following titles, to-wit:

No. 35—An act to locate a state road from South Bend in the direction of Bertrand;

No. 36—An act to locate a state road from Portage Point to the state line;

No. 37—An act to locate a state road from South Bend to the north line of the state; and,

No. 38.—An act to locate a state road from the north line of the state, in the direction of Chicago;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

Ordered, That the Clerk carry them to the Senate for the signature of their President.

Mr. Walker of D. presented the petition of Daniel Roberts and others, citizens of Dearborn county, praying the location of a certain state road therein named;

Which was referred to a select committee of Messrs. Walker of D., Howard, and Gregg, without reading.

Mr. Craig of P. presented the petition of W. E. Stewart and others, citizens of Posey county, praying the location of a certain state road therein named;

Which was read, and,

On motion of Mr. Craig of P.,

Referred to the committee on roads.

Mr. Thompson of A. presented the petition of Philip C. Cook and others, citizens of Allen county, praying the repeal of a portion of the law regulating the jurisdiction and duties of justices of the peace so far as the provisions thereof extend to the county of Allen;

Which was read and,

On motion of Mr. Thompson of A.,

Referred to the judiciary committee.

Mr. Morris presented the petition of Joseph Straton and others, citizens of Marion county, praying the location of a certain state road therein named in the county of Marion;

Which was referred to a select committee of Messrs. Morris, Posey, and Willett, without reading.

Mr. Wilson, from the committee of ways and means, made the following report:

Mr. SPEAKER—

The committee of ways and means to which was referred a resolution directing them to inquire into the expediency of so changing the ad valorem system of taxation, passed the last session of the legislature of this state, as to exempt persons of this state from paying a tax on 15 head of hogs and \$50 worth of household furniture, have had the

same under consideration, and directed me to report that legislation upon this subject is inexpedient.

Which was read and concurred in by the House.

Mr. Johnston from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills which originated in the Senate of the following titles, to wit:

No. 21—An act to incorporate the Perrysville and Danville Rail Road Company;

No. 11—To incorporate the Newport Steam Mill Company;

No. 7—To repeal the act approved 24th December, 1834, authorizing the re-location of a certain part of the Vincennes and New Albany state road, at or near Fredericksburgh in Washington county;

No. 3—A memorial of the General Assembly of the State of Indiana to the Congress of the United States, praying further appropriations of the National Road within the limits of Indiana.

No. 5—To legalize a certain act of James Davis, school commissioner of Sullivan county;

No. 25—An act to legalize the official acts of Josiah Reeder;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Brown, from the judiciary committee, to which was referred the bill,

No. 122—to incorporate the Lafayette and Danville road company;

Reported the same to the House with one amendment;

Which was read and concurred in, when,

On motion of Mr. Brown,

Said bill was considered as engrossed, read a third time and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Brown, from the judiciary committee to which was referred sundry resolutions on that subject, reported

A bill (No. 125) to amend an act entitled an act relative to crime and punishment, approved Feb. 10, 1831;

Which was twice read (the rules of the House having been dispensed with,) and,

On motion of Mr. Morris,

Committed to a committee of the whole House, and made the order of the day on to morrow.

Mr. McCarty, from the judiciary committee, to which was referred a resolution on that subject, reported

A bill (No. 126) to amend an act in furtherance of an act to provide a fund to encourage common schools;

Which was twice read (the rules of the House having first been dispensed with,) and,

On motion of Mr. Vawter,

Committed to a select committee.

Ordered, That Messrs. Vawter, McCarty, and Whitman be that committee.

Mr. Carnan, from the judiciary committee, to which was referred the bill,

No. 58—respecting the borough of Vincennes, reported the same to the House with one amendment.

Ordered, That said bill be engrossed for a third reading, when,

On motion of Mr. Willett,

Said bill was considered as engrossed, read a third time and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Gregg, from the select committee, to which was referred a petition on that subject, reported

A bill (No. 127) to incorporate the Miami bridge company;

Which was twice read (the rules of the House having been dispensed with.)

Mr. Gregg moved the rules of the House be dispensed with, said bill be considered as engrossed, and read a third time,

And before the question thereon was had,

On motion of Mr. Vandever,

Said bill was committed to the judiciary committee.

Mr. Vawter from the committee on roads made the following report:

The committee on roads to which was referred the petition of Thomas Harlin and others, praying the Legislature to authorize the laying out a state road commencing in the S. E. quarter, section 15, town 15 North, of range 10 West, also the remonstrance of Elijah Taylor and others, on the subject of said road, under their consideration, and find the remonstrators, nearly double that of the petitioners; and therefore the committee have directed me to report that legislation on the subject is inexpedient.

Which was read and concurred in.

Mr. Vawter, from the committee on roads, also made the following report:

The committee on roads to which was referred the petition of Joshua Taylor, praying a change in that part of the Martinsville and Indianapolis state road that lies between said town of Martinsville and Clear creek, also the remonstrance of Hiram T. Craig and others, against any change in said road, have had the same under consideration, and the number remonstrating against any change in said road larger than the number praying an act authorizing a review. And as the act

of the Legislature, approved Feb. 3, 1832, gives the circuit court full and complete cognizance of the case, the committee have directed me to report that legislation in relation thereto is inexpedient.

Which was read and concurred in by the House.

Mr. Liston, from the select committee, to which was referred a petition on that subject, reported

A bill (No. 128) to amend an act entitled an act to incorporate the St. Joseph's Iron company;

Which was twice read (the rules of the House having been dispensed with) and ordered to be engrossed and read a third time to-morrow.

Mr. Kilgore, from the select committee to which was referred a petition on that subject, reported

A bill (No. 129) authorizing the location of a state road, from Marion in Grant county to Lagro in Wabash county;

Which was three times read, (the rules of the House having been dispensed with) and passed.

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Davis, from the select committee to which was referred a petition on that subject, reported

A bill (No. 130) to locate a state road from Logansport in Cass county to Squirrels Village in Wabash county;

Which was twice read (the rules of the House having been dispensed with,) and,

On motion Mr. Thompson of A.,

Committed to a select committee.

Ordered, That Messrs. Thompson of A., Morris, and Davis be that committee.

Mr. Jones, from the select committee, to which was referred a petition on that subject, reported

A bill (No. 131) for the relief of Elizabeth Hatfield;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Morris, from a select committee, made the following report;

The select committee to which was referred a resolution of the House inquiring into the expediency of memorializing Congress for a bounty in land for the United States' Rangers who served in the late war with Great Britain, report:

It will be seen by a reference to the various acts of Congress, that the principle of granting *bounties* in land for faithful military services has been fully recognized by that body, and as fully approved of by our fellow citizens generally.

It is believed by your committee that no class of troops engaged in the military service of the United States, during the last war with Great Britain, performed their duty more faithfully, or rendered services more hazardous in their nature, or more beneficial in their results

to the country, than those organized militia men, mounted militia men, and rangers who defended the frontier of Indiana, Illinois, and Missouri.

During the last session of Congress the claims of these brave men were for the first time presented to Congress by a memorial from the state of Illinois, and although almost last among the defenders of our country who have asked Congress for remuneration; it is believed, judging from the favorable action of that body, that they are not considered the least deserving the aid of the general government.

Their claims upon the justice and liberality of the nation, it is hoped, are known to and appreciated by all.

To us it is well known that previous to 1812, the settlements of the western country were confined principally to the margin of the Ohio and Mississippi, whilst all between, even the ground on which stands the flourishing capitol of our state, was a wilderness, but little frequented by the whites, and the constant abode of the Indian, and when the late war broke out, the frontier settlements were exposed to, and in too many instances made to feel the effects of their perpetual hostility.

The consequence was, that the inhabitants of the frontier left their homes and erected stations, and in many instances abandoned all they had on earth, enrolled themselves as rangers, and devoted their whole time and energy to the defence of the frontier. In this way they were of great service to the adjacent states, who but for their bravery, must have been more or less exposed. "They formed the advanced guard of the country," during a time when the energies of the government were put in requisition for the defence of the more populous parts of the Union. And what is now Indiana, Illinois, and Missouri, was left during a great portion of that struggle with no other defence than these citizen soldiers. To the few brave men who yet remain of the ten companies of rangers then in service, it must be, as it is to us, a proud reflection that they did not only defend their own widely spread frontier, but also the citizens and property of the adjoining states.

The service of these men differed in many respects from that of the regular soldiers who long since have been liberally provided for by government. They were citizen *soldiers*; acting against powerful and war like tribes of Indians on an extensive frontier;—many of them expended all they possessed in equipping themselves. Their pay was only one dollar per day for mounted and seventy-five cents for dismounted rangers.

Out of these small wages, at war prices, the ranger was to furnish himself with clothing, arms, ammunition, horse's forage, and his own provisions. It should be borne in mind too that many of these men had families whose reliance for support was upon those who were on duty. While in service they were prohibited from cultivating their farms, and the loss of a crop at that time was a loss of no ordinary magnitude.

After making these deductions for necessities of life—to say nothing of the fact known to all, that during the whole period of their service which was not less than one year, and in many instances during the whole war: they were engaged in a most hazardous service "swim-

ming rivers, living in bark huts, hauling timbers with their own hands for blockhouses and forts"—and in short, undergoing every privation that man could bear. We ask what had they left? Nothing! Nothing, except indeed as in too many instances was the fact, but broken constitutions.

In conclusion your committee cannot but believe that if application be made, Congress will in the same spirit of justice and liberality which has heretofore characterized its course towards other branches of the service not more deserving; grant a small remuneration in land to the remaining few of these deserving men. The public debt is extinguished; the public lands, of which government has over two hundred millions of acres under her control, stands no longer pledged for that object. They are free from all encumbrances. A liberal bounty in land to these brave men would be of great advantage to them, and an easy method of remunerating such signal services.

Your committee therefore, though opposed to memorializing Congress upon subjects exclusively belonging to that body, believing that the Legislature of this State will unite with that of Illinois, upon this subject, report herewith a memorial and joint resolution entitled, "a memorial and joint resolution of the State of Indiana, to the Congress of the United States, on the subject of granting a bounty in land to the organized militia men, mounted militia men, and rangers of the last war."

The memorial and joint resolution

No. 132 named in said report, was twice read (the rules of the House having first been dispensed with.)

Mr. Willett moved to amend said memorial and joint resolution so as to include the soldiers in Black Hawk's war;

Which motion was lost; when,

On motion of Mr. Morris,

Said joint resolution was laid on the table.

And the House adjourned.

3 o'clock P. M.

The House met.

Mr. Howell from a select committee, made the following report:

Mr. SPEAKER—

The select committee to which was referred the petition of Daniel Harris, praying this House to legalize a certain marriage therein named, have had the same under consideration and have directed me to report that the marriage therein prayed to be legalized has heretofore been legalized by an act of legislation of the State of Indiana, they therefore pray to be discharged from the further consideration thereof;

Which was read and concurred in by the House.

Mr. Hubbard from the select committee, to which was referred a petition on that subject, reported

A bill (No. 133) to locate a state road therein named;

Which was twice read, (the rules of the House having been dispensed with) and ordered to be engrossed and read a third time tomorrow.

A Message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed without amendment, the engrossed bill from the House of Representatives, entitled

No. 97—An act to change the name of the town of Greensboro in Franklin county, to that of Blooming Grove;

And an engrossed bill of the Senate, entitled

No. 32—An act to provide for a justice of the peace in Rockford, Jackson county;

In which bill of the Senate, the concurrence of the House of Representatives is requested.

The Senate has disagreed to the amendment proposed by the House of Representatives to the 3d amendment of the Senate, to the memorial and joint resolution from the House of Representatives

No. 59—on the subject of the purchase of a tract of land of the United States.

The engrossed bill of the Senate

No. 32—to provide for a justice of the peace in Rockford, Jackson county, was twice read, (the rules of the House being dispensed with) and,

On motion of Mr. Carr,

Committed to a select committee.

Ordered, That Messrs. Carr, Jackson, and Armstrong be that committee.

Mr. Buell moved that the House recede from their amendment to the amendment of the Senate to the memorial and joint resolution of the House, named in said message,

No. 59—on the subject of a purchase of a tract of land of the United States;

Which motion was decided in the affirmative.

The following additional message was received from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed with amendments, the engrossed bill from the House of Representatives, entitled,

No. 76—An act to incorporate the Evansville and Vincennes Rail Road Company.

Also engrossed bills of the Senate, entitled as follows, viz:

No. 32—An act to incorporate the town of Rome in Perry county;

No. 34—An act declaring a certain county road therein named, a state road;

No. 36—An act to amend the act for opening and repairing public roads and highways, app'd. Feb. 10, 1831;

In which bills of the Senate and amendments of the Senate to the bill of the House, the concurrence of the House of Representatives is requested.

The amendment of the Senate to the engrossed bill of the House of Representatives named therein,

No. 76—to incorporate the Evansville and Vincennes Rail Road Company, was read and concurred in by the House.

The engrossed bill of the Senate named in said message,

No. 33—to incorporate the town of Rome in Perry county, was twice read (the rules of the House being dispensed with.)

Mr. Howell moved that the rules of the House be further dispensed with, said bill considered as engrossed and read a third time.

Mr. Morris moved to commit said bill to the judiciary committee;

Which motion was lost.

And the question then recurring on the motion of Mr. Howell, it was decided in the negative; when,

Said bill was ordered to be engrossed and read a third time to-morrow.

The engrossed bill of the Senate,

No. 34—named in said message, declaring a certain county road therein named a state road, was read the first time and passed to a second reading; when,

On motion of Mr. Edmonston,

The rules of the House were dispensed with, said bill read a second time by its title and ordered to be engrossed and read a third time to-morrow.

The engrossed bill of the Senate,

No. 36—named in said message, to amend an act for opening and repairing public roads and highways, approved 10th Feb. 1831, was twice read (the rules of the House having first been dispensed with.)

Mr. Vandever moved to strike out so much thereof as relates to poll tax;

And before the question thereon was had,

On motion of Mr. Howell,

It was laid on the table.

Mr. Strain from the select committee, to which was referred a petition on that subject, reported

A bill [No. 134] for the location of a state road from Livonia to Milltown;

Which was read the first time and passed to a second reading on to-morrow.

On motion of Mr. Craig of M.,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of devising some measure by which school commissioners and constables shall be furnished with the laws of this state, to report by bill or otherwise.

Mr. Walker of S. moved the adoption of the following resolution:

Resolved, That the committee on roads be instructed to report a bill to this House transferring the business of land commissioner on the Michigan road to the Auditor and Treasurer of State, and that the improvement of the road be vested in the commissioners of the several counties through which the road passes;

Which was read, and,

On motion of Mr. Vawter;

Laid on the table.

On motion of Mr. McCarty,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of fixing by law, the rate per cent. to be charged by administrators and executors for their services in the administration of decedent estates, to be varied according to the amount of said estate, and that said committee report by bill or otherwise.

On motion of Mr. Thompson of L.,

Resolved, That the judiciary committee be instructed to inquire into the expediency of making some provision by law, which will authorize the Governor to offer a reward or take some other steps for the apprehension of fugitives from justice for the crime of murder; and also what special measure is best calculated to procure the arrest and delivery of Harrison Barger to the proper authority of Johnson county, for the murder of Joseph Baker in said county, and report by bill or otherwise.

Mr. Thompson of A. presented a joint resolution

No. 135—on the subject of furnishing Allen county with an additional number of copies of the revised code;

Which was twice read (the rules of the House being dispensed with) and,

On motion of Mr. Thompson of A.,

Referred to the committee on the state library.

Mr. Buell presented

A bill [No. 136] to incorporate the judicial townships in Warren county;

Which was twice read (the rules of the House first having been dispensed with) and,

On motion of Mr. Buell,

Committed to a select committee.

Ordered, That Messrs. Buell, Evans, and Brown be that committee.

Mr. Kilgore presented

A bill [No. 137] to legalize the proceedings of Reason Malott, a school commissioner;

Which was twice read (the rules of the House having first been dis-

pensed with), and ordered to be engrossed and read a third time tomorrow.

Mr. Dunning presented

A bill [No. 138] to amend an act declaratory of the powers of notaries public;

Which was twice read, (the rules of the House having been dispensed with); when,

On motion of Mr. Morris,

The House resolved itself into committee of the whole thereon,

And after some time spent therein,

The Speaker resumed the Chair, and

Mr. Davis reported said bill to the House with one amendment, by striking the same out from the enacting clause;

Which was concurred in by the House.

Mr. Jackson from the joint committee on enrolled bills, reported that they did on this day, present to his excellency the Governor, for his approval and signature, a bill which originated in the Senate of the following title, to wit;

No. 15—An act for the apportionment of Senators and Representatives in the General Assembly of this State.

Mr. Thompson of L. presented

A bill (No. 139) amendatory of an act entitled an act regulating the practice in suits at law;

Which was twice read (the rules of the House having first been dispensed with.)

Ordered, That said bill be engrossed and read a third time tomorrow.

And the House adjourned.

THURSDAY, JANUARY 14, 1836.

The House met.

On motion of Mr. Evans,

The committee on canals and internal improvements to which was hertofore referred two several petitions, which were properly directed to the Senate, was discharged from a further consideration thereof;

Whereupon,

Mr. Evans (having obtained leave) withdrew the same.

Mr. Hannaman presented the petition of John D. Stephenson and others, citizens of the county of Hamilton, praying the location of a state road from Noblesville in Hamilton county to Andersontown in Madison county;

Which was read and referred to a select committee of Messrs. Hannaman, Bardwell, and Kilgore without reading.

Mr. Vandever presented the petition of sundry citizens of Orange county, praying the construction of a McAdamized road from New Albany to Vincennes;

Which,

On motion of Mr. Vandever,

Was referred to the committee on canals and internal improvements without reading.

Mr. Ray presented the petition of C. B. Smith and others, praying amendments to the law regulating crimes and punishments;

Which was read, and,

On motion of Mr. Ray,

Referred to the judiciary committee.

Mr. Liston presented the petition of D. W. Pierce and others, citizens of St. Joseph county, praying an act incorporating a mutual insurance company in said county;

Which was referred to a select committee of Messrs. Liston, Chamberlain, and Thompson of A.

Mr. Murray presented the petition of sundry citizens of Orange county, praying the construction of a McAdamized road from New Albany to Vincennes;

Which was read, and,

On motion of Mr. Murray,

Referred to the committee on canals and internal improvements.

Mr. Armstrong presented the petition of Andrew Fite and others, citizens of Clark county, praying the incorporation of a company to construct a canal around the falls of Ohio, from Jeffersonville to New Albany;

Read and referred to same select committee as petition heretofore on the same subject.

Mr. Chiles presented the petition of D. E. Allen and others, citizens of Carthage in Putnam county, praying an act to change the name of said town from Carthage to that of Mount Meridian;

Which was referred to a select committee of Messrs. Chiles and Harrow without reading.

Mr. Johnston, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bill, originating in the House of Representatives of the following title to wit:

No. 9—An act to incorporate the Madison savings institution;

And find the same truly enrolled.

When the Speaker signed said bill.

Ordered, That the clerk carry it to the Senate for the signature of their President.

Mr. Edwards, from the committee on elections, made the following report:

The committee on elections, to which was referred a resolution of the House directing them to inquire into the expediency of amending the act regulating the mode of doing county business, have had the

same under consideration, and have directed me to report that any further legislation, at this time, is deemed inexpedient.

Which was read and concurred in by the House.

Mr. Miller, from the committee of ways and means, to which was referred a resolution on that subject, reported

A bill (No. 140) to amend an act entitled an act for assessing and collecting the revenue, approved Feb. 10, 1836:

Which was twice read (the rules of the House having been dispensed with,) and,

On motion of Mr. Stapp,

Ordered, That said bill do lie on the table.

Mr. Stapp, from the judiciary committee, made the following report:

Mr. SPEAKER—

The judiciary committee to which was referred sundry resolutions and portions of the Governor's message relating to a uniform mode of doing county business, as also relating to amendments to the attachment law, as well as to the act regulating the fees and salaries of the several officers and persons therein named, have had the same under consideration, and directed me to report three several bills on the subjects referred to.

A bill (No. 141) to amend an act, entitled an act regulating the fees and salaries of the several officers and persons therein named;

A bill (No. 142) to amend an act entitled an act regulating the mode of doing county business in the several counties in this state, approved Jan. 19, 1831;

A bill (No. 143) to amend an act relative to foreign attachments, approved Jan. 20, 1831;

Which were severally read the first time and passed to a second reading on to morrow.

Mr. Nave, from the judiciary committee, to which was referred the bill,

No. 88—to give the circuit court of Hendricks county jurisdiction in a certain case;

Reported the same to the House with one amendment;

Which was read and concurred in.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Collins, from the judiciary committee, to which was referred a petition on that subject, reported

A bill (No. 144) to incorporate the New Albany savings institution;

Which was twice read, (the rules of the House having been dispensed with,) and,

On motion of Mr. Armstrong,

Amended as follows:

That no person shall be director or officer of this institution, who is a director of any branch of the state bank of Indiana.

Mr. Phelps moved to further amend said bill as follows:

The directors shall at no time be allowed to borrow money out of any of the branches of the state bank, in their corporate capacity;

And on the question being put thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Ray, from the committee on the affairs of the town of Indianapolis, made the following report:

Mr. SPEAKER—

The committee on the affairs of the town of Indianapolis, to which was referred so much of the Governor's message as relates to the sale of the Governor's Circle and the building thereon in said town, have according to order, had that subject under consideration and directed me to report that legislation upon that subject at this time is inexpedient, and ask to be discharged from the further consideration of the same;

Which was read and concurred in by the House.

Mr. Bennett from the committee on claims, made the following report:

The committee on claims, to which was referred the petition of Joseph Holman, for himself and on behalf of the citizens of Miamisport and its vicinity, for damages by them sustained, in the construction of the Wabash and Erie Canal, have had that subject under their consideration and have directed me to report, that in the opinion of your committee, ample means are provided for the assessment and payment of damages occasioned by the construction of said canal, by the act of the Legislature at their last session, entitled "an act to provide for the further prosecution of the Wabash and Erie Canal and other purposes," and therefore report, that it is inexpedient to legislate on that subject at this time, and ask to be discharged from the further consideration of the same;

Which was concurred in by the House.

Mr. Bennett from the committee on claims, made the following additional report:

The committee on claims, to which was referred the claim of Charles T. Noble, collector of Vigo county, for money by him improperly paid into the Treasury of State, having examined said claim, respectfully recommend to the House the adoption of the following resolution:

Resolved, That the committee of ways and means be instructed to allow in the specific appropriation bill to Charles T. Noble the sum of \$14 28 for money so improperly paid.

Which said resolution was read and adopted.

Mr. Dunning from a select committee, to which was referred a petition on that subject, reported

A bill (No. 145) to revive and amend an act entitled an act to provide for the sale of certain lands therein named, approved February 10, 1833;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Collins from a select committee, to which was referred a petition on that subject, reported

A bill (No. 146) to attach part of the county of Harrison to the county of Floyd;

Which was read the first time, and passed to a second reading on to-morrow.

Mr. Hubbard from a select committee, to which was referred a petition on that subject, reported

A bill (No. 147) to vacate part of a certain street in the town of Washington in Wayne county,

Which was read the first time and passed to a second reading on to-morrow.

Mr. Whitman from the select committee, to which was referred a petition on that subject, reported

A bill (No. 148) to incorporate the town of New Albany;

Which was twice read, (the rules of the House having been first dispensed with), and,

On motion of Mr. Hannaman,

Committed to the judiciary committee,

Mr. Huntington moved the adoption of the following resolution;

Which was read, and,

On his motion,

Laid on the table:

Resolved, That the committee of ways and means be instructed to incorporate a provision in the general revenue bill, by which per cent. on the whole amount of the state revenue, collected in each county, shall be set aside for the use of common schools in the respective counties, to be divided among the several school districts in the proper county, in proportion to the amount of state tax paid by such townships.

On motion of Mr. Kilgore,

Resolved, That the committee on the judiciary be instructed to report a bill to this House, appointing a committee of revision of the laws, whose duty it shall be to prepare a bill to organize a probate court and prescribing the duties thereof; a bill to regulate the practice in suits at law and in chancery, and a digest of the statute laws of this state, of a general character, to be by said committee reported to the legislature of this state at its next session.

On motion of Mr. Gregg,

Resolved, That the judiciary committee be instructed to inquire into the expediency of amending the act regulating damages on protested bills of exchange so as to make the parties to bills, all of whom may be

residents of this state, subject to damages, in case of protest on those bills, payable at a place without the state.

On motion of Mr. Walker of S.,

The resolution by him moved on yesterday, proposing to abolish the office of Commissioner on the Michigan Road, and laid on the table, was taken up, and,

On motion of Mr. Ristine,

So amended as to make it the duty of the committee to inquire into the expediency of the proposition only; when,

Said resolution as amended was adopted.

Mr. Vandever moved the adoption of the following resolution:

Resolved, That the committee of ways and means be instructed to provide in the bill regulating the revenue, a provision that the tax to be paid on foreign and domestic groceries and upon merchandize, shall be proportioned to the amount of capital employed;

Which,

On motion of Mr. Howell,

Was amended by striking out the word "provide" and insert in lieu thereof the words "inquire into the expediency of providing;"

And then said resolution as amended was adopted.

On motion of Mr. Boone,

Resolved, That the committee on roads be instructed to inquire into the expediency of having a sufficient number of the road laws printed as that each supervisor in the respective counties in this state, be furnished with a copy thereof, and to make it the duty of the sheriffs of the respective counties to distribute the same.

On motion of Mr. Thompson of J.,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so altering the law regulating the fees of grand and petit jurors as to allow them one dollar per day, with leave to report by bill or otherwise.

On motion of Mr. Lee of M. and C.,

Resolved, That the judiciary committee be instructed to so amend the law respecting mistakes made by assessors, as to authorize the clerks of the respective counties to correct the same.

On motion of Mr. Morris,

The annual report of the State Agricultural Society, heretofore laid on the table, was taken up, and together with that part of the Governor's message and accompanying documents as relates to said society, heretofore referred to the committee of ways and means, was referred to the committee on agriculture.

Mr. Huckleberry presented a joint resolution (No. 149) of the General Assembly of the State of Indiana;

Which was twice read (the rules of the House having been dispensed with.)

Mr. Dunning moved to amend the same by inserting the words "be instructed" after the word "Senators;"

And before the question thereon was had,

On motion of Mr. Huckleberry,

Said joint resolution was laid on the table.

Mr. Storm presented

A bill (No. 150) for the location of a state road from William Brummits in Greene county, by way of Scotland in said county, Owl Prairie in Daviess county, thence to Vincennes in Knox county;

Which was read the first time, and passed to a second reading on to-morrow.

Mr. Moore presented

A bill (No. 151) to incorporate the Eel river Steam Mill Company;

Which was twice read by its title, (the rules of the House having been dispensed with), and,

On motion of Mr. Moore,

Referred to the judiciary committee.

Mr. Liston presented

A bill (No. 152) to locate a state road from Mishawaka to Mottsville;

Which was twice read (the rules of the House having first been dispensed with), and,

On motion of Mr. Chamberlain,

Committed to a select committee.

Ordered, That Messrs. Chamberlain, Liston, and Thompson of A. be that committee.

Mr. Mason presented

A bill (No. 153) to give the Fayette circuit court jurisdiction in a certain case; -

Which was read the first time and passed to a second reading on to-morrow.

Mr. Ray presented

A bill [No. 154] to provide for cancelling and entering satisfaction of mortgages;

Which was twice read (the rules of the House having first been dispensed with); when,

On motion of Mr. Ray,

Said bill was committed to the judiciary committee.

And the House adjourned.

2 o'clock, P. M.

The House met

Mr. Morris presented

A bill [No. 155] for the relief of John G. Brown;

Which was twice read (the rules of the House having first been dispensed with), and,

On motion of Mr. Morris,

Referred to the judiciary committee.

Mr. Jones presented

A bill [No. 156] to revive and continue in force an act to incorporate the town of Washington in Daviess county, approved January 31, 1822.

Which was read the first time and passed to a second reading on to-morrow.

Mr. Buell presented

A bill [No. 158] to repeal the law allowing a premium on wolf scalps;

Which was twice read (the rules of the House having been dispensed with.)

And the question was then put,

Shall said bill be engrossed?

Which was decided in the negative.

Mr. Storm presented

A bill (No. 157) to locate a state road from Bowlinggreen in Clay county, *via* Freedom in Owen county, so as to intersect the Eel river road at or near Solomon Stone's in Greene county:

Which was read the first time and passed to a second reading on to-morrow.

Mr. Chamberlain presented

A bill (No. 159) to establish a state road from the town of Elkhart *via* Jamestown to the Michigan road;

Which was read the first time, and passed to a second reading on to-morrow.

The House then proceeded to consider the orders of the day.

The bill (No. 75) concerning Guardians, was read the second time and referred to the judiciary committee;

The bill (No. 78) amendatory of an act entitled "an act relative to county seminaries, approved February 11th, 1831, was read the second time, and

On motion of Mr. Willet, referred to the committee on education:

The bill (No. 79) to amend an act entitled, "an act to establish a state road from Bedford in Lawrence county, *via* Washington in Daviess county, to the rapids of the Wabash river, at or near the mouth of White river, approved January 20th, 1834, was read the second time, and ordered to be engrossed for a third reading; when

On motion of Mr. Boone, said bill was considered as engrossed, read a third time and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and the clerk carry it to the Senate and ask their concurrence therein.

The bill [No. 80] to amend an act entitled "an act to amend an act to regulate the mode of doing county business, was read the second time, and

On motion of Mr. Stapp, laid on the table.

A Message from the Senate by Mr. Morrison their Secretary:

Mr. SPEAKER—

The Senate has passed an engrossed bill from the House of Representatives [No. 81] amendatory of an act entitled "an act establishing a state bank," approved January 28, 1834, with amendments, in which the concurrence of the House of Representatives is requested.

The 1st, 2d, 3d, 4th, 5th and 7th amendments of the Senate to said bill, were read and concurred in.

On motion of Mr. Willett, the House disagreed to the 6th amendment;

The 8th amendment of the Senate,

On motion of Mr. Thompson of L., was amended, and then concurred in by the House.

Mr. Kilgore moved to amend the 9th amendment of the Senate to said bill, as follows, viz:

Nor shall any branch of the said State Bank, either directly or indirectly, purchase or in any wise receive, either in payment of debts or by way of exchange or otherwise, any note or paper, issued by any Bank of this state, or any other state, for less than the amount for which said note calls for; but in all cases when any such paper is received by said branches, the same shall be received at its par value.

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Chamberlain, Chiles, Clark of Washington, Howard, Kilgore, Moore, Phelps, Posey, Steele, Whitman, Willett, Wilson, and Zenor
—13.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Brown, Buell, Carr, Chambers, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edmonston, Edwards, Eggleston, Graham, Gregg, Hannaman, Harrow, Harris, Howell, Hubbard, Huntington, Jackson, Johnston, Jones, Lee of B., Lee of M. & C., Liston, Macey, Mason, McCarty, Miller, Morris, Murray, Nave, Ray, Ristine, Smith, Stapp, Storm, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of S., Watt, and Smith, Speaker
—53.

And so said amendment was lost.

And the House adjourned.

FRIDAY, JANUARY 15, 1836.

The House met.

The House resumed the consideration of the amendments of the Senate to the bill of the House, pending when the House adjourned on yesterday evening,

No. 81—amendatory of an act entitled an act establishing a State Bank, approved January 28, 1834.

Mr. Brown moved to concur in the 9th amendment of the Senate to said bill with the following amendment:

And provided that the said President and Directors be, and they are hereby compelled to increase the capitals and privileges to discount of each and every branch to the same amount and at the same time, if any such branch desire it.

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Brown, Chamberlain, Chiles, Cushman, Davis, Harrow, Kilgore, Lee of M. and C., Moore, Phelps, Smith, Templeton, Thompson of J., Willett, Wilson, and Zenor—16.

And those who voted in the negative are,

Messrs. Bardwell, Bennett, Boone, Buell, Chambers, Clark of Washington, Clark of Wayne, Collins, Craig of M., Curtis, Edmonston, Edwards, Eggleston, Evans, Graham, Gregg, Harris, Howard, Howell, Hubbard, Huckleberry, Jackson, Johnston, Jones, Lee of B., Liston, Macey, McCarty, Miller, Morris, Murray, Myers, Nave, Posey, Ray, Ristine, Stapp, Storm, Templeton, Thompson of A., Thompson of L., Vawter, Walker of D., Watt, and Smith, Speaker—44.

And so said amendment was not adopted.

And the House adjourned.

2 o'clock P. M.

The House met

And resumed the consideration of the 9th amendment of the Senate pending before the House when it adjourned this morning; when

Mr. Vandever moved that the House adjourn until to-morrow, 9 o'clock.

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Brown, Buell, Chamberlain, Chiles, Cole, Craig of P., Cushman, Davis, Dunning, Evans, Gregg, Hannaman, Harrow, Huntington, Jackson, Johnston, Kilgore, Lee of B., Lee of M. and C., Macey, McCarty, Miller, Moore, Murray, Myers, Phelps, Ray, Stapp, Storm, Templeton, Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Watt, Wilson, and Zenor—39

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Boone, Carr, Chambers, Clark of

Wayne, Clark of Washington, Collins, Craig of M., Edmonston, Edwards, Graham, Harris, Howard, Huckleberry, Jones, Liston, Nave, Posey, Ristine, Smith, Steele, Thompson of A., Walker of S., Willett, and Smith, Speaker—26.

And the House adjourned.

SATURDAY, JANUARY 16, 1836.

The House met.

The House resumed the consideration of the message from the Senate, pending before the House when it adjourned on yesterday evening, when,

On motion of Mr. Morris,

Said message was laid on the table.

Mr. Craig of M. presented the petition of Solomon Dunnagan and others, citizens of Morgan county, praying a state road from Scott's ferry in Morgan county, by the way of Hadley's mill in said county, to Bellville in Hendricks county; which,

On motion of Mr. Craig of M.,

Was referred to a select committee without reading.

Ordered, That Messrs. Craig of M., Nave, and Jones be that committee.

Mr. Lee of M. and C. presented the petition of James Scott of Clinton county, praying certain relief therein named;

Which,

On motion of Mr. Lee of M. and C.,

Was referred to the committee on roads without reading.

Mr. Templeton presented the petition of sundry citizen of Fountain county, praying the organization of said county by authorizing the election of township trustees, clerks, &c.; which

On motion of Mr. Templeton,

Was referred to the same select committee to which was heretofore referred a petition on the same subject.

A message from the Senate by Mr. Morrison, their principal Secretary:

Mr. SPEAKER—

The Senate has passed without amendment, bills from the House of Representatives entitled as follows, viz:

No. 22—An act to amend an act entitled an act for the appointment of persons to receive deeds for lots or lands given or purchased for the use of schools, meeting houses, and masonic lodges.

No. 23—An act to locate a state road from Delphi in Carroll county, to Dayton in Tippecanoe county.

No. 24—An act establishing as a state road the county road leading from Livonia to George Becks.

No. 25—An act declaring a certain road therein named, a state road;

No. 26—An act to incorporate the Vincennes academy;

No. 27—An act to repeal the act to incorporate the Crawfordsville Seminary;

No. 29—An act to organize the county of Adams;

No. 30—An act to organize the county of Fulton;

No. 31—An act to legalize the sale of the west half of the public square in the town of New Castle;

No. 34—An act concerning the reserved township of lands in Monroe county;

No. 39—An act to vacate a part of the Indianapolis, Centreville, and Richmond state road in Wayne county;

No. 41—An act to amend the act entitled an act to incorporate the Lexington Steam Mill Company, approved February 7, 1835;

No. 43—An act to change the time of holding the probate courts in Daviess county;

No. 44—An act to establish a certain state road therein named;

No. 50—An act declaring the county road from Owensville to the mouth of the Patoka in Gibson county, a state road;

No. 61—An act authorizing the sale of the residue of one of the reserved townships of land in Monroe county;

No. 98—An act to change the name of the town of Somerset;

No. 106—An act to amend an act entitled an act to incorporate the town of Leavenworth, approved Feb. 7th 1835;

Also bills and a memorial of the Senate, entitled as follows, viz:

No. 40—An act to incorporate the Rockville steam mill company;

No. 44—An act to provide for a special session of the Jefferson circuit court

No. 45—A memorial of the General Assembly of the state of Indiana, praying an appropriation for the construction of a harbor at the mouth of Trail creek;

In which bills and memorial of the Senate, the concurrence of the House of Representatives is requested.

The engrossed bill of the Senate (No. 40), to incorporate the Rockville steam mill company, named in said message, was twice read (the rules of the House having been dispensed with,) and,

On motion of Mr. Steele,

Referred to the judiciary committee.

The engrossed bill of the Senate (No. 44) therein named, to provide for a special session of the Jefferson circuit court, was twice read, (the rules of the House having been dispensed with,) and,

On motion of Mr. Buell,

Referred to the judiciary committee.

The engrossed memorial from the Senate (No. 45) of the General

Assembly of the state of Indiana, praying an appropriation for the construction of a harbor at the mouth of Trail creek;

Was three times read and passed, (the rules of the House having first been dispensed with.)

Mr. Smith presented the petitions of sundry citizens of the county of Ripley, praying an act incorporating a company to construct a McAdamized road from Vevay to Napoleon;

Which,

On motion of Mr. Smith,

Were referred to a select committee without reading.

Ordered, That Messrs. Smith, Eggleston, and Gregg be that committee.

Mr. Strain presented the petition of Jacob Harner and others, praying the vacation of a part of a certain state road therein referred to;

Which,

On motion of Mr. Strain,

Was referred to the committee on roads without reading.

Mr. Jones presented the petition of sundry citizens of Daviess county, praying the construction of a McAdamized road from New Albany to Vincennes;

Which,

On motion of Mr. Jones,

Was referred to the committee on canals and internal improvements without reading.

Mr. Smith presented the petition of Henry J. Bowers and others, citizens of Ripley county, praying the location of a state road commencing at the town of Versailles in said county to Manchester in Dearborn county;

Which was read and referred to a select committee of Messrs. Smith, Howard, and Walker of D.

Mr. Templeton presented the petition of G. W. Hicks and others, of the town of Newton in Fountain county, praying an act incorporating said town;

Which,

On motion of Mr. Templeton,

Was referred to a select committee without reading.

Ordered, That Mr. Templeton be that committee.

Mr. Eggleston presented the petition of sundry citizens of Switzerland county, praying the location of a certain state road therein named in the said county of Switzerland;

Which was referred to a select committee, without reading.

Mr. Chamberlain presented the petition of sundry citizens of the county of Lagrange, praying a change of the county seat of Lagrange county; and also the remonstrance of James Kelly and others, citizens of said county, against said petition;

Which,

On motion of Mr. Chamberlain,

Were referred to the committee on the judiciary without reading.

Mr. Morris presented the remonstrance of James Bridges and oth-

ers, against a petition heretofore presented, praying a state road commencing at or near John Newland's, on the Michigan road in Marion county, to intersect the Michigan road, at or near Adam Metskers in said county of Marion;

Which,

On motion of Mr. Morris,

Was referred to the same select committee, to which was heretofore referred the petition on the same subject.

Mr. Thompson of L., from the judiciary committee, to which was referred certain charges preferred against Gustavus A. Everts, president judge of the 8th judicial circuit, made the following report:

Mr. SPEAKER—

The judiciary committee, to whom was referred charges against Gustavus A. Everts, president judge of the 8th judicial circuit, have had the same under consideration and have instructed me to report to the House, the testimony submitted to them, and the following resolution for adoption:

Resolved, That articles of impeachment be preferred against Gustavus A. Everts, president judge of the 8th judicial circuit in the State of Indiana, on the second and third specifications in the charges preferred, and that the Speaker appoint managers on the part of this House, to prepare and prosecute the same before the high court of impeachment—the Senate of Indiana.

Mr. Stapp moved to amend said resolution by striking it out from its resolving clause and insert the following:

That in the opinion of this House, the testimony presented by the judiciary committee, on the charges against Judge Everts is not sufficient to sustain an impeachment against him;

And a division of the question being called for,

The question was then put on the first branch thereof to-wit:

On striking out the resolution from the resolving clause; and

Those who voted in the affirmative are,

Messrs. Bennett, Brown, Howard, Hubbard, Kilgore, Macey, Myers, Nave, Phelps, Ray, Stapp, Vawter, Walker of S., and Zenor—14.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Boone, Buell, Carr, Chamberlain, Chambers, Chiles, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of M., Crag of P., Curtis, Cushman, Davis, Dunning, Edmonston, Edwards, Eggleston, Evans, Graham, Gregg, Harrow, Harris, Huckleberry, Huntington, Jackson, Johnston, Jones, Lee of M. and C., Liston, Mason, McCarty, Miller, Moore, Morris, Murray, Posey, Ristine, Smith, Steele, Storm, Strain, Templeton, Thompson of

A., Thompson of J., Thompson of L., Vandever, Walker of D., Whitman, Willett, Wilson, and Smith, Speaker—56.

So said motion was decided in the negative.

And the House adjourned.

2 o'clock, P. M.

The House met.

The House resumed the consideration of the resolution pending when the House adjourned this morning;

And the question was then put,

Shall said resolution be adopted?

And the ayes and noes being called for by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Boone, Buell, Carr, Chamberlain, Chambers, Chiles, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Edmonston, Edwards, Eggleston, Evans, Graham, Gregg, Harrow, Harris, Huckleberry, Huntington, Jackson, Johnston, Jones, Lee of B., Lee of M. and C., Liston, Mason, McCarty, Miller, Moore, Morris, Murray, Myers, Posey, Ristine, Smith, Steele, Storm, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Walker of D., Whitman, Willett, Wilson, and Smith, Speaker—57.

And those who voted in the negative are,

Messrs. Bennett, Brown, Howard, Hubbard, Kilgore, Macey, Nave, Phelps, Ray, Stapp, Vawter, Walker of S., and Zenor—13.

And so said resolution was adopted.

Whereupon,

The Speaker appointed Messrs. Liston, Huntington, Evans, and Thompson of L., managers on the part of this House, to prepare and prosecute articles of impeachment against the said Gustavus A. Everts, president judge of the 8th judicial circuit of this state, before the high court of impeachment—the Senate of Indiana, on the 2d and 3d specifications in the charges preferred against him.

Mr. Thompson of L. having first obtained leave, moved for adoption the following resolution:

Whereas, The Honorable G. A. Everts hath agreed that the evidence of John H. Bradley, a witness on behalf of the State, as reduced to writing by the judiciary committee of this House, shall be taken as the deposition of said witness, and read in evidence on the trial of said impeachment before the Senate, which agreement in writing is in the hands of the said judiciary committee:

Therefore,

Resolved, That the said John H. Bradley be and is hereby discharged from any further attendance as a witness in the said case;

Which was read and adopted.

The Speaker laid before the House a communication from N. B. Palmer, Treasurer of State, on the subject of the non-resident lands and town lots in this state;

Which,

On motion of Mr. Morris,

Was read and referred to the committee on education.

Mr. Thompson of L. having obtained leave, moved the adoption of the following resolution:

Resolved, That Lathrop M. Taylor, John H. Bradley, and John B. Durett, witnesses subpoenaed to give evidence before the judiciary committee, be discharged from any further attendance, and that they be each allowed the sum of \$2 00 per day for every day necessarily engaged as such witnesses, while at the capitol and in travelling to and returning from the same;

Which was read and referred to the committee on claims.

And the House adjourned until Monday morning.

MONDAY, JANUARY 18, 1836.

The House met.

On motion of Mr. Morris,

Ordered, That 1000 copies of the report of the Treasurer of State on the subject of the non-resident lands and town lots in this state, be printed.

Mr. Brown presented the petition of Henry Eusminger and others, citizens of Tippecanoe county, praying the passage of a law in relation to certain rail roads, and the incorporation of a rail road company, which was referred to a select committee of Messrs. Brown, Davis, Morris, Nave and Templeton, without reading.

Mr. Zenor presented the remonstrances of William Applegate and Franklin McKae and others, citizens of Harrison county, against a petition heretofore presented, praying that a part of the county of Harrison may be attached to the county of Floyd, which

On motion of Mr. Zenor,

Was referred to the same select committee to which the said petition was referred.

Mr. Eggleston presented the petition of John Miller and others, citizens of the counties of Switzerland and Ripley, praying the construction of a turnpike road from Vevay, to intersect the Michigan road at or near Napoleon; which

On motion of Mr. Eggleston,

Was referred to the same select committee to which was heretofore referred a petition on the same subject.

Mr. Bardwell presented the petition of T. D. Walpole and others, citizens of Hancock county, praying a repeal of part of the law regulating the jurisdiction and duties of justices of the peace, as to confine the same to respective townships in civil cases: and also the remonstrance of J. C. Chapman and others, against said petition; which

On motion of Mr. Bardwell,

Were referred to the judiciary committee without reading.

Mr. Chamberlain presented the petition of John McConnell and others, citizens of the county of Kosciusko, praying that six miles may be detached from the south end of said county; which was referred to the select committee of Messrs. Vawter, Liston, and Chamberlain, without reading.

Mr. Hannaman presented the petition of John S. Forsyth and others, citizens of Hamilton and Boone counties, praying the relocation of a part of the Newcastle and Crawfordsville state road, which was referred to a select committee of Messrs. Hannaman, Morris, and Jones, without reading.

Mr. Edwards presented the petition of sundry citizens of the counties of Wayne and Randolph, praying the location of a state road from Economy in Wayne county, to the Flint Springs, on the Wabash and Erie canal, which was referred to a select committee of Messrs. Edwards, Macey, Clark of Wayne, and Thompson of A., without reading.

Mr. Thompson of L., having first obtained leave, moved the adoption of the following resolution:

Resolved, That Allan Hamilton, a witness subpoenaed to give evidence before the judiciary committee, in relation to the charges preferred against the Hon. G. A. Everts, be discharged from further attendance, and that he be allowed the sum of \$2 00 per day for every day necessarily engaged as such witness, while at the capital and in travelling to and returning from the same;

Which was read and referred to the committee on claims.

Mr. Nave presented the petition of James Sigerson of Hendricks county, preferring charges against Noah Harding, a justice of the peace in and for Hendricks county;

Which was read, and

On motion of Mr. Nave,

Referred to the judiciary committee.

A message from the Senate by Mr. Morrison their principal Secretary.

MR. SPEAKER—

The Senate has passed an engrossed bill [No. 27,] to incorporate the Levenworth Savings Institution, which originated in the Senate, also Bills from the House of Representatives, entitled as follows, viz:
No. 124—An act to establish a state road from a point in the county

of Clay, to the Wabash river, near the mouth of Honey creek, in Vigo county, and thence to the state line;

No. 108—An act to incorporate the Indiana Baptist Education Society and Manual Labor Institution;

No. 123—An act to provide for a general system of internal improvements,

With amendments to the bills No. 108 and 123,

In which bill of the Senate, and amendments to said bills of the House, the concurrence of the House of Representatives is requested.

The House refused to concur in the first and second amendments of the Senate to the engrossed bill of the House named in said message (No. 123) to provide for a general system of internal improvements.

Mr. Willett moved to concur in the third amendment of the Senate to said bill, with the following amendment: "provided that if said board shall deem it for the interest of the State, it shall be their duty to examine and survey the route between Bloomington and Greencastle by way of Spencer in Owen county;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Carr, Clark of Washington, Cole, Craig of P., Cushman, Davis, Edmonston, Edwards, Eggleston, Graham, Harris, Howard, Howell, Huckleberry, Jackson, Jones, Lee of B., Mason, Miller, Moore, Murray, Nave, Phelps, Smith, Steele, Strain, Walker of D., Walker of S., Willett, Wilson, and Zenor—33.

And those who voted in the negative are,

Messrs. Bennett, Boone, Brown, Chamberlain, Chambers, Chiles, Clark of Wayne, Collins, Craig of M., Curtis, Dunning, Evans, Gregg, Hannaman, Harrow, Hubbard, Huntington, Johnston, Kilgore, Lee of M. and C., Liston, Macey, McCarty, Morris, Myers, Posey, Ray, Ristine, Stapp, Storm, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Watt, and Whitman—39.

And so said motion was decided in the negative,

And the House adjourned.

2 o'clock, P. M.

The House met

And resumed the consideration of the amendments of the Senate to the bill of the House

No. 123—To provide for a general system of internal improvements, pending when the House adjourned this morning;

And the question then recurring on the concurrence of the House in the third amendment of the Senate to said bill,

It was put;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Brown, Chamberlain, Chambers, Chiles, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Cushman, Dunning, Edwards, Evans, Gregg, Hannaman, Harrow, Hubbard, Johnston, Lee of M. and C., Liston, Macey, Mason, McCarty, Myers, Posey, Ray, Ristine, Storm, Templeton, Thompson of J., Thompson of L., Vandever, Vawter, Watt, Whitman, and Smith, Speaker—39.

And those who voted in the negative are,

Messrs. Carr, Clark of Washington, Cole, Davis, Edmonston, Eggleston, Graham, Harris, Howard, Howell, Huckleberry, Jones, Miller, Moore, Murray, Nave, Phelps, Smith, Steele, Strain, Walker of S., Willett, and Zenor—23.

And so the House concurred in said amendment.

On motion of Mr. Collins,

The House disagreed to the fourth amendment of the Senate to said bill.

The 5th, 6th, 7th, 8th, and 9th amendments were severally read and concurred in by the House.

Mr. Evans moved to amend the 10th amendment of the Senate as follows, to-wit:

Add after the word "commissioner" "or engineer employed in the construction of any work contemplated in this act;"

Which motion was decided in the affirmative.

On motion of Mr. Chamberlain,

Said amendment was further amended as follows, viz: by adding thereto,

Or any state officers holding their offices, either by the appointment of the Governor or by joint ballot of the General Assembly;

And then said amendment as amended was concurred in by the House.

The amendments of the Senate to the engrossed bill of the House of Representatives,

No. 108—to incorporate the Indiana Baptist Education Society and Manual Labor Institute;

Were severally read and concurred in by the House.

The engrossed bill of the Senate, [No. 27] named in said message, to incorporate the Leavenworth Savings' Institution,

Was twice read, (the rules of the House having first been dispensed with,) and,

On motion of Mr. Phelps,

Committed to the judiciary committee.

On motion of Mr. Vawter,

The previous orders of the day which precede the bill

No. 62—authorizing a loan for the improvement of state roads and pledging the three per cent. fund for the payment thereof, were for the present postponed, and,

The House resolved itself into a committee of the whole thereon, to which the same was heretofore referred,

And after some time spent therein,

The Speaker resumed the Chair, when

Mr. Stapp reported progress and asked leave to sit again;

Which leave was granted by the House.

Mr. Jackson from the joint committee on enrolled bills, reported that they had compared the enrolled with the engrossed bill which originated in the House of Representatives of the following title, to wit:

No. 97—An act to change the name of the town of Greensboro in Franklin county, to that of Blooming Grove;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bill.

Ordered, That the Clerk carry it to the Senate for the signature of their President.

Mr. Jackson from the joint committee on enrolled bills, reported that they did on this day, present to his excellency the Governor, for his approval and signature, a bill which originated in the House of Representatives, of the following title, to wit:

No. 9—An act to incorporate the Madison savings institution;

And the House adjourned.

TUESDAY, JANUARY 19, 1836.

The House met.

Mr. Gregg presented sundry petitions of sundry citizens of the county of Dearborn, praying a division of said county;

Mr. Howard presented sundry petitions of citizens of said county on the same subject; and,

Mr. Walker of D. presented sundry remonstrances of citizens of said county of Dearborn against said petitions,

Which were severally read, and,

On motion of Mr. Walker of D.,

Referred to a select committee of Messrs. Gregg, Howard, Walker of D., Smith, and Eggleston.

Mr. Morris presented the petition of W. W. Wick and others, citizens of Marion county, praying the location of a state road from Indianapolis to Pendleton in Madison county;

Which was referred to a select committee of Messrs. Morris, Hanaman, and Bardwell without reading.

Mr. Morris presented the petition of sundry citizens of Marion county, praying the location of a certain state road in said county of Marion therein named;

Which was referred to a select committee of Messrs. Morris, Hanaman, and Bardwell without reading.

Mr. Morris presented the petition of Wm. Miller and others, citizens of Marion county, praying the construction of a bridge over Little Eagle creek;

Which was referred to a select committee of Messrs. Morris, Hanaman, and Bardwell without reading.

Mr. Willett presented the petition of Joseph Nicholas and others, on the subject of the road law;

Which,

On motion of Mr. Willett,

Was referred to the standing committee on roads without reading.

Mr. Curtis presented the petition of Joel Hendricks and others, citizens of Wayne county, on the subject of the revenue law;

Which,

On motion of Mr. Curtis,

Was referred to the committee of ways and means without reading.

Mr. Ray from the judiciary committee, to which was referred the Bill [No. 154] to provide for cancelling and entering satisfaction of mortgages, reported the same to the House without amendment.

On motion of Mr. Ray,

The rules of the House were dispensed with, said bill considered as engrossed, read a third time and passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Stapp, from the judiciary committee, made the following report:

Mr. SPEAKER—

The judiciary committee, to which was referred resolutions,

1st. Relating to making up issues in the circuit court in vacation;

2d. Relative to amending the estray laws, so as to make it the duty of clerks of the circuit courts to make out copies or abstracts of the estrays on their books and publish them monthly in a paper at Indianapolis, a copy of which to be sent to each clerk's office in the state;

3d. Relative to the rate of per centum to be charged by executors and administrators in the settlement of decedent's estates;

4th. Relative to damages on inland bills of exchange;

5th. Relative to mistakes made by assessors;

Also the petition of Lewis Buskirk, praying for authority to sell real estate, have had the same under consideration and have instructed me to report that it is inexpedient to legislate on the above petition and

the four first resolutions, and to recommend the reference of the fifth resolution to the committee of ways and means.

They have also had under their consideration the following bills, to-wit:

1st. An engrossed bill of the Senate entitled an act to provide for a special session of the Jefferson circuit court;

2d. An engrossed bill of the Senate entitled an act to incorporate the Rockville steam mill company;

3d. A bill concerning guardians;

4th. A bill for the relief of John G. Brown;

And have instructed me to report them to the House; the 1st and 3d without amendments, and the 2d and 4th with amendments.

The amendments of the committee to the bill of the Senate

No. 40—To incorporate the Rockville steam mill company, were read and concurred in by the House; when,

On motion of Mr. Steele,

Said amendments were considered as engrossed, and with said bill read a third time and passed, (the rules of the House having been dispensed with.)

Ordered, That the clerk carry it to the Senate and ask their concurrence to the amendments of the House thereto.

The amendment of the committee to the bill [No. 155] for the relief of John Brown, was read and concurred in; when,

On motion of Mr. Morris,

The rules of the House were dispensed with, said bill considered as engrossed, read a third time and passed.

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

The bill [No. 75] named in said report, concerning guardians, was ordered to be engrossed for a third reading; when,

On motion

Said bill was considered as engrossed, read a third time and passed (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

The engrossed bill of the Senate [No. 44] to provide for a special session of the Jefferson circuit court, was read the third time and passed (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof.

Leave of absence was granted to the managers to prepare articles of impeachment against Gustavus A. Everts, president judge of the 8th judicial circuit of Indiana.

Mr. Stapp from the judiciary committee, to which was referred a petition on that subject, reported

A bill (No. 160) to suspend an act entitled an act providing for the re-location of the seat of justice in the county of Dearborn, and for other purposes, approved Feb. 6, 1835;

Which was read the first time and passed to a second reading on tomorrow.

Mr. Brown from the judiciary committee, to which was committed the engrossed bill of the Senate

No. 27—To incorporate the Leavenworth Savings' Institution, reported the same to the House with one amendment, in which the House refused to concur; when,

On motion of Mr. Phelps,

The rules of the House were dispensed with, said bill read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Ray from the judiciary committee, to which was referred the bill

No. 143—To incorporate the town of New Albany, reported the same to the House with two amendments;

Which were read and concurred in by the House.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Collins from the committee on the judiciary, made the following report:

Mr. SPEAKER—

The judiciary committee to which was referred a resolution instructing said committee to inquire into the expediency of authorizing clerks of the circuit court to order bail in certain cases; also a resolution instructing said committee to inquire into the expediency of authorizing the clerks of the circuit courts to issue writs on Sunday; also a resolution instructing said committee to inquire into the expediency of so changing the practice in suits at law, as that it shall not be necessary for the plaintiff to aver and prove in suits founded on notes payable at a particular place, a demand of payment at such place; have had said resolutions under consideration, and report a bill in conformity with the instructions contained in said resolutions.

A bill (No. 161) supplemental to an act entitled an act to regulate the practice in suits at law, approved Jan. 29, 1831;

Which was twice read, (the rules of the House having first been dispensed with.)

Ordered, That it be engrossed and read a third time to-morrow.

Mr. Collins, from the judiciary committee, to which was referred a resolution on that subject, reported

A bill (No. 162) to subject equitable interest and choses in action to execution;

Which was twice read (the rules of the House having first been dispensed with,) and,

On motion of Mr. Willett,

Laid on the table.

Mr. Johnston, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills, which originated in the House of Representatives of the following titles, to wit:

No. 25—An act declaring a certain road therein named, a state road;

No. 41—An act to amend the act entitled an act to incorporate the Lexington Steam Mill Company, approved February 7, 1835;

No. 22—An act to amend an act entitled an act for the appointment of persons to receive deeds for lots or lands given or purchased for the use of schools, meeting houses, and masonic lodges.

No. 34—An act concerning the reserved township of lands in Monroe county;

No. 23—An act to locate a state road from Delphi in Carroll county, to Dayton in Tippecanoe county.

No. 50—An act declaring the county road from Owensville to the mouth of the Patoka in Gibson county, a state road;

No. 59—A memorial and joint resolution on the subject of a purchase of a tract of land from the United States for the purpose of constructing a canal from Fort Wayne to Muncietown;

No. 29—An act to organize the county of Adams;

No. 30—An act to organize the county of Fulton;

No. 61—An act authorizing the sale of the residue of one of the reserved sections of land in the reserved township of land in Monroe county;

No. 27—An act to repeal the act to incorporate the Crawfordsville Seminary;

No. 98—An act to change the name of the town of Somerset;

No. 106—An act to amend an act entitled an act to incorporate the town of Leavenworth, approved Feb. 7th 1835;

No. 45—A memorial of the General Assembly of the state of Indiana, praying an appropriation for the construction of a harbor at the mouth of Trail creek; which originated in the Senate.

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Huntington, from the committee on education, made the following report:

MR. SPEAKER—

The committee on education to which was referred so much of the Governor's message as relates to a geological survey of this state, have had the same under consideration, and having bestowed upon it that attention which its great importance deserves, have directed me to report:

That they regard the suggestions of the executive upon this subject as entitled to great attention, whether as connected with the cause of general science, or of public usefulness. So far as the first mentioned object is concerned, it is impossible to even conjecture how many interesting and important secrets may be revealed by the examinations recommended, which now lie scattered over our beautiful territory, and buried beneath its teeming and exuberant surface. To the lovers of science simply, it opens a rich and unexplored field—to the philanthropist, objects worthy of his toils and equally unlimited in ex-

tent. But it is mainly in view of the vast and incalculable *general* benefits which must result from a measure of this kind, that the committee press its favorable consideration upon the legislature at this time.

Indiana is just launching into a general system of internal improvements, which if properly prosecuted must shortly give her an elevated rank in the Union. Her local position is a proud one—her out lines such as to secure for her, under wise legislation, and at no distant day, a decided prominence as an independent state. We are about to expend millions in the construction of canals, rail roads, turnpikes, &c., and in the improvement of our rivers, and have adopted a scheme, which cannot fail to have a decided influence on our prosperity in all time to come. Connected with this, it occurs to your committee that an accurate examination of the geology of the country is absolutely essential to the successful prosecution of our public works. Such an examination would impart life and vigor to the plan—indeed without it we should labor under a thousand difficulties which such a survey would diminish if not remove. The peculiar character of the country and soil on the various routes selected for improvement, “the presence of valuable ores, with the localities and extent of quarries, and of coal and lime formations, objects of enquiry so essential to internal improvements, and the advancement of domestic prosperity, would be discovered, and the possession and advantages of them given to the public.” Massachusetts, New York, and other states have reaped innumerable benefits from the information derived from their geological surveys, and it has now come to be regarded in all the states that have entered upon a system of internal improvements, to be a necessary part of such a system. In the states of Ohio, Tennessee, and Kentucky, the public attention has been awakened to the subject of late, and in Tennessee especially it has already engaged the action of her legislature.

The State of Indiana in many parts, presents strong indications of mineral wealth, such as iron, lead, zinc, copper, and even gold and silver. There are similar indications of the existence of gypsum, marble, and alabaster. Stone coal exists in great quantities, and might be rendered a source of profitable trade, especially when our commercial facilities shall furnish the means of its exportation. But whether our expectations in regard to the natural resources of our state are well founded or not, it cannot surely be deemed an object unworthy of an independent state to ascertain through the means recommended, her actual condition. To those whose enterprise impels them forward in the race of honorable competition after wealth and independence, it would afford a certain light to direct their toils, and to the dreaming and visionary enthusiast, who is often led to spend his substance in vainly attempting the discovery of some hidden treasure (and there are many such) an invaluable check upon his too credulous avarice.

In every point of view, this subject is regarded by your committee, as important. Without however, entering into detail, they would, in addition to the suggestions already presented, observe, that there is great necessity for a comprehensive and accurate map of our state.

By requiring the individual to whom such a survey should be entrusted, to make such geographical and topographical examinations of the country also, as would furnish the materials for such a map, this important object could also be effected.

The committee therefore, in conformity with the foregoing views, report

A Joint Resolution authorizing a geological and topographical survey of the state.

A joint resolution [No. 163] authorizing a geological and topographical survey of the state;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Vandever, from the committee on military affairs, to which was referred sundry petitions and resolutions, reported

A bill [No. 164] to amend the act entitled "an act to organize and regulate the militia of the State of Indiana," approved Feb. 2, 1831,

Which was twice read (the rules of the House being dispensed with) and on motion, committed to a committee of the whole House and made the order of the day on to-morrow.

Mr. Morris, from the committee on the affairs of the town of Indianapolis, made the following report:

Mr. SPEAKER—

The committee on the affairs of the town of Indianapolis, to which was referred the resolution of the House, relative to the Marion county library moneys, report a joint resolution on that subject, entitled "a joint resolution in relation to the Marion county library moneys.

The joint resolution [No. 165] therein named, in relation to the Marion county library moneys, was three times read, the rules of the House having first been dispensed with, and passed.

Ordered, That the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Vawter from the committee on roads made the following report:

Mr. SPEAKER—

The committee on roads to which was referred that part of the message of the Governor relative to the Michigan road, and road fund—also the report of the Michigan road commissioner; also sundry resolutions of the House, have had all those subjects and matters therein named, under their consideration, and the committee now report by bill and joint resolution:

A bill [No. 166] relative to the Michigan road fund;

Which was twice read (the rules of the House having first been dispensed with); when,

On motion of Mr. Morris,

Said bill was referred to a select committee.

Ordered, That Messrs. Morris, Liston, Hannaman, Walker of S., Bryan, Smith, Stapp, and Chambers, be that committee.

A joint resolution [No. 167] relative to the Michigan road lands, Which was read three times and passed (the rules of the House having first been dispensed with.)

Ordered, That the Clerk carry it to the Senate, and ask their concurrence therein.

Mr. Vawter, from the committee on roads, to which was referred a petition on that subject, reported

A joint resolution [No. 168] of the General Assembly of the State of Indiana for the relief of James Scott;

Which was three times read (the rules of the House having first been dispensed with) and passed.

Ordered, That the clerk carry it to the Senate and ask there concurrence therein.

Mr. Vawter, from the committee on roads, made the following additional report:

The committee on roads to which was referred a resolution directing an inquiry into the expediency of so amending the present system of improving roads as to make it the duty of the supervisors, to let out to any person or persons, the repairing of any particular part of a road requiring repair or opening, &c. &c., have had the same under consideration, and have directed me to report, that legislation on the subject matter of said resolution is at this time inexpedient;

Which was read and concurred in.

Mr. Thompson of L., from the committee on the State Bank, made the following report:

MR. SPEAKER—

The committee on the State Bank to whom was referred the petition of Walter Wilson and other citizens of Cass county, praying that provision be made for the establishment of an additional branch bank, to be located at some proper point north of the Wabash river, east of Lafayette and west of Fort Wayne, have had the same under consideration, and have directed me to report, that legislation on that subject, is, at this time, inexpedient, and ask to be discharged from the further consideration thereof;

Which was read and concurred in by the House.

Mr. Dunning, from the committee on the State Library to which was referred the joint resolution [No. 135] on the subject of furnishing Allen county with an additional number of copies of the Revised Code, reported the same to the House without amendment.

Ordered, That said joint resolution be engrossed and read a third time to-morrow.

Mr. Dunning, from a select committee, made the following report:

MR. SPEAKER—

The select committee to which was referred several petitions of the citizens of Bartholomew, Morgan, Monroe, and Jackson counties, praying the formation of a new county, and also a remonstrance of the citizens of Morgan county against the same, have had those several subjects under consideration, and from mature deliberation thereon, have come to the conclusion that the prayer of the petitioners is a reasonable one, and a majority of said committee have directed me to report a bill in accordance with the prayer of the petitioners, entitled

A bill for the formation of the county of Brown.

The bill [No. 169] named in said report, was three times read (the rules of the House having first been dispensed with) and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Hubbard from the select committee to which was referred a petition on that subject, reported

A bill [No. 170] to incorporate the town of Milton in Wayne county;

Which was twice read (the rules of the House having been dispensed with), and,

On motion of Mr. Hubbard,

Referred to the judiciary committee.

Mr. Thompson of A. from the select committee, to which was referred the

Bill [No. 130] to establish certain state roads in the counties of Cass, Miami, and Madison, reported said bill to the House with two amendments;

Which were read and concurred in.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Thompson of A. from the select committee, to which was referred a petition on that subject, reported

A bill [No. 171] authorizing the location of a state road from the county seat of Adams county to the centre of Steuben county;

Which was twice read, and,

Ordered, To be engrossed and read a third time to-morrow.

Mr. Thompson of A. from the select committee to which was referred a petition on that subject, reported

A bill [No. 172] to establish a certain state road in Wabash county;

Which was twice read, and,

Ordered, To be engrossed and read a third time to-morrow.

Mr. Chamberlain from the select committee, to which was referred

The bill [No. 83] for the establishment of a state road from Mishawaka in St. Joseph county, in a north eastern directions to the state line, reported the same to the House with two amendments;

Which were read and concurred in by the House.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Storm from a select committee, made the following report:

MR. SPEAKER—

The select committee to which was referred the petition of Ruel Larned, praying the passage of a law declaring Richland creek a navigable stream; and also the remonstrance of Thomas Warnick on the same subject, have had the same under consideration and have directed me to report that legislation upon that subject at this time is inexpedient, and ask to be discharged from the further consideration thereof.

Which was read and concurred in.

Mr. Chamberlain from the select committee, to which was referred The bill [No. 152] to locate a state road from Mishawaka to Mottsville, reported the same to the House without amendment; when,

On motion of Mr. Chamberlain,

Said bill was laid on the table.

Mr. Eggleston from the judiciary committee to which was referred The bill [No. 127] to incorporate the Miami bridge company, having first obtained leave, reported said bill to the House with one amendment;

Which was read and concurred in by the House; when,

On motion of Mr. Gregg,

The rules of the House were dispensed with, said bill considered as engrossed, read a third time and passed.

Ordered, That the clerk carry it to the Senate and ask their concurrence therein.

Mr. Hannaman from the select committee to which was referred a petition on that subject, reported

A bill [No. 173] to locate a state road from Noblesville to Andersontown;

Which was twice read (the rules of the House having first been dispensed with); and

Ordered, To be engrossed and read a third time to-morrow.

Mr. Vawter from the select committee to which was referred

The bill [No. 126] to amend an act entitled an act to provide a fund to encourage common schools, reported the same to the House with amendments;

Which were severally read and concurred in.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Liston one of the managers appointed on the part of the House of Representatives to prepare and prosecute articles of impeachment against Gustavus A. Everts, president judge of the 8th judicial circuit of Indiana, reported the following articles of impeachment, for the consideration and adoption of the House, to-wit:

STATE OF INDIANA, SCT.

Articles of Impeachment exhibited by the House of Representatives of said

State, in the name of themselves and of said State, against GUSTAVUS A. EVERTS, the President Judge of the Eighth Judicial Circuit, of the State of Indiana, to the Senate of said State.

ARTICLE I.

That the said Gustavus A. Everts, the President Judge of the Eighth Judicial Circuit of the State of Indiana, has been, and is guilty of high misdemeanors, and also corruption and malfeasance in his said office of President Judge of said circuit, to-wit: at the county of Laporte, and state aforesaid.

SPECIFICATION 1ST.

That on the day of January, A. D. 1835, Gustavus A. Everts, then and there being President Judge of the Eighth Judicial Circuit of the State of Indiana as aforesaid, in violation of his official duty as such Judge, acted as the attorney and agent of one Charles Ervan, in aiding him the said Charles Ervan, and in counselling and advising the said Charles Ervan as an agent and attorney as aforesaid, by then and there preparing a claim of him the said Charles Ervan, to a certain tract of Land then belonging to the United States, situate in the county of Kosciusko, which he the said Ervan claimed by right of pre-emption, under and by virtue of two several acts of Congress, the one of the 29th of May A. D. 1830, and the other of the 19th of June A. D. 1834—that on the day of May A. D. 1835, he the said Gustavus A. Everts, President Judge as aforesaid, to-wit: at the county of Laporte in said circuit in violation of his official duty as such judge, did then and there appear before the Register and Receiver of the Land Office of the United States at the town of Laporte in said circuit, and did then and there act as the agent and attorney of the said Charles Ervan, before the said Register and Receiver at Laporte, and during the time that said Register and Receiver were investigating the pre-emption claim of the said Charles Ervan, which said claim was then and there contested by one Joseph Hall; and that the said Gustavus A. Everts, then and there being the President Judge of said circuit, did then and there receive of and from the said Charles Ervan for his said professional services as aforesaid, as a fee and compensation therefor, the sum of five dollars; which said conduct is in violation of his official duty as such Judge—is a high misdemeanor of him the said Gustavus A. Everts, President Judge as aforesaid, and is contrary to the letter and spirit of the constitution and laws, and against the peace and dignity of the State of Indiana.

SPECIFICATION 2D.

That the said Gustavus A. Everts, President Judge of the Eighth Judicial Circuit of the State of Indiana, on the day of May A. D. 1835, to-wit: at the county of Laporte, and within the circuit aforesaid,

did then and there appear before the Register and Receiver of the Land Office of the United States at the town of Laporte, and did then and there, in violation of his official duty as such Judge, act as the agent and attorney of one George Beal, before the said Register and Receiver at the said town of Laporte, in and defending the claim of the said George Beal, and during the investigation thereof to a right of pre-emption to a certain tract of land situate in the county of Kosciusko and state aforesaid, which said right of pre-emption the said George Beal claimed by virtue of two several acts of Congress, the one of the 29th of May A. D. 1830, and the other the act of revival of 19th of June 1834, and that the said Gustavus A. Everts, then and there being the President Judge of said circuit, did then and there, in violation of his official duty as such Judge, demand and receive of and from the said George Beal, for his said services as aforesaid, as a compensation and fee therefor, the sum of five dollars, which said conduct is a high misdemeanor of the said Gustavus A. Everts, President Judge as aforesaid, and which is also contrary to the constitution and laws, and against the peace and dignity of the State of Indiana.

SPECIFICATION 3d.

That on the day of May 1835, the said Gustavus A. Everts, then and there being President Judge of the Eighth Judicial Circuit of the State of Indiana, to wit: at the county of Laporte, and circuit aforesaid, did then and there appear before the Register and Receiver of the Land Office of the United States at the town of Laporte aforesaid, in said circuit, and did then and there, in violation of his official duty as said Judge, act as an agent and attorney for one Michael Billings, before the said Register and Receiver, at the said town of Laporte, in preparing the pre-emption claim of said Michael Billings, and in advocating and defending it, during the investigation thereof, to a right of pre-emption, to a certain tract of land situate in the county of Laporte, circuit and state aforesaid, which said right of pre-emption the said Michael Billings claimed by virtue of two several acts of Congress, the one of the 29th of May A. D. 1830, and the other of the 19th of June 1834; and that the said Gustavus A. Everts, then and there being President Judge of said Circuit, did then and there, in violation of his official duty as such Judge, did demand and receive for his said professional services, and as a compensation therefor, a fee of one cloth coat of great value, to wit: of the value of twenty dollars. It is further averred that the said Michael Billings now stands indicted for perjury in the Laporte Circuit Court for taking a false oath in sustaining his pre-emption claim as aforesaid, that at the time of making such oath, the said Gustavus A. Everts then and there acted as attorney and agent for said Billings in prosecuting and defending said claim under the oath of said Billings, in which oath he the said Billings, is charged with having committed perjury as aforesaid, he the said Everts then and there being President Judge of the circuit aforesaid, and in which circuit said Indictment is now pending and undecided, which said conduct is a high misdemeanor of the said Gustavus A. Everts,

President Judge of the circuit aforesaid, and is also contrary to the constitutions and laws of our country, and against the peace and dignity of the State of Indiana.

SPECIFICATION 4TH.

That on the day of January A. D. 1835. Gustaus A. Everts, then and there being the President Judge of the Eighth Judicial Circuit of the state of Indiana, in violation of his official duty as such Judge, then and there acted as the agent and attorney of Joseph Norris, John Norris, Michael Norris, George Norris, and Phillip Norris, in assisting them, and in counselling and advising them in preparing their pre-emption claims to certain tracts of land then belonging to the United State, situate in the county of Kosciusko and circuit aforesaid, claimed by them under and by virtue of two several acts of Congress, the one of 29th of May 1830, and the other of the 19th of June, 1834, and that on the day of May A. D. 1835, he the said Gustavus A. Everts, then and there being President Judge of said circuit, to wit: at the county of Laporte aforesaid, in violation of his official duty as such Judge, did then and there appear before the Register and Receiver of the Land Office of the United States at the town of Laporte in said circuit, did then and there act as the agent and attorney of the said Joseph, John, Michael, George, and Phillip Norris, before the said Land Officers at Laporte aforesaid, during the time when said officers were investigating the pre-emption claims of said claimants, and that the said Gustavus A. Everts then and there being the President Judge of the circuit aforesaid, did then and there purchase of and from the said Joseph, George, and Phillip Norris, three floating pre-emption claims to eighty acres of land each, which three last mentioned floating pre-emption claims were sold to the said Gustavus A. Everts by the said Joseph, George, and Phillip Norris, at and for the reduced prices of eighty dollars for one, seventy-five for the second, and fifty dollars for the the third, in consideration of the services of the said Everts as agent and attorney for them the said Joseph, John, Michael, George, and Phillip Norris, in obtaining their pre-emption claims as aforesaid, which said conduct of the said Gustavus A. Everts, is contrary to his official duty as such Judge, is a high misdemeanor, and is contrary to the constitution and laws, and against the peace and dignity of the State of Indiana.

ARTICLE II.

That the said Gustavus A. Everts, the President Judge of the Eighth Judicial Circuit of the State of Indiana, has been and is guilty of high misdemeanors, and also corruption and malfeasance in the said office of President Judge of said Circuit, to wit: in wilfully and corruptly absenting himself in term time from the counties of Allen, Lagrange, and Elkhart, during the fall terms of the said circuit, in the year 1835; which said counties are situate in said circuit.

SPECIFICATION 1ST.

That at the fall terms of the Circuit Courts in the Eighth Judicial Circuit of the State of Indiana, in the year 1835, Gustavus A. Everts then and there being President Judge of said circuit, appeared at the Allen Circuit Court, in said circuit, and sat upon the Bench until the Saturday at noon of the first week of said court, (said court being authorized to sit two weeks, if the business therein should require it,) at which said time the said Everts, Judge as aforesaid, then and there adjourned said Allen Circuit Court until court in course, without assigning any other or better reason therefor, than that it was necessary for him, the said Everts, to attend the land sales at the Laporte land offices; that at the said term of said court, there was but one Associate Judge in commission, which he the said Everts well knew; and at the time of said adjournment, there were then and there pending and undetermined in said court, a large number of suits at law, at issue, and ready for trial, which were unavoidably laid over by reason of said adjournment, and also in attendance upon said court, witnesses, and parties litigant in said court, who were ready and anxious for the trial of their causes at said term; such adjournment, thus operating as a denial of justice to said suitors, which said conduct of said Everts in so adjourning said court, was a wilful and corrupt violation of his official duty as such Judge, a high misdemeanor, contrary to the constitution and laws, and against the peace and dignity of the State of Indiana.

SPECIFICATION 2D.

That at the September term, 1835, of the Lagrange circuit court, said county being in the eighth judicial circuit of the State of Indiana, Gustavus A. Everts, the President Judge of said circuit, did not appear at said court, but wilfully and corruptly absented himself therefrom during the term aforesaid, for the purpose of attending the land sales at Laporte in said circuit; that at the term aforesaid of said Lagrange circuit court, there were pending, undetermined and ready for trial, a number of important suits, which together with all the business of said court, were necessarily continued on account of the absence of said Everts, president judge as aforesaid, to the great detriment and injury of suitors in said court, and to the public; which said conduct was and is a direct, wilful, and corrupt violation of his official duty as such judge, contrary to the constitution and laws, and against the peace and dignity of the State of Indiana.

SPECIFICATION 3D.

That at the September term of the Elkhart circuit court (said county being in the eighth judicial circuit of the State of Indiana,) Gustavus A. Everts, the president judge of said circuit, failed to appear at said term of said circuit, but wilfully and corruptly absented himself therefrom during said term, for the avowed purpose of attending the

land sales at the Laporte land offices in said circuit; that during the said term of said court, there was but one associate judge of said court in commission, as he the said Everts well knew: that there were then and there pending and undetermined in said court, as he the said Everts well knew, a large number of suits ready for trial, which said suits by reason of the absence of said Everts, were unavoidably continued until the then next term of said court—that a large number of witnesses and suitors were in attendance, which said suitors were then and there ready for trial, but owing to the absence of said Everts as aforesaid, said suitors were delayed in the trial of their said suits until a subsequent term, to the great injury of the public, and the manifest detriment of said suitors, parties litigant in said court; which said conduct of the said Gustavus A. Everts, is a high misdemeanor—contrary to the constitution and laws of the land, and against the peace and dignity of the State of Indiana.

CALEB B. SMITH,
Speaker House Reps.

Which were read, and,
On motion,
Re-committed to said managers.
And the House adjourned.

2 o'clock, P. M.

The House met.

Mr. Brown from the select committee, to which was referred a petition on that subject, reported

A bill (No. 174) for the appointment of commissioners to re-locate and extend a state road in the county of Switzerland;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Harris from the select committee to which was referred a petition on that subject, reported

A bill (No. 175) to vacate a part of a state road therein named and for other purposes;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Harris from the select committee to which was referred a petition on that subject, reported

A bill (No. 176) to authorize the location of a state road from the mouth of Eel river in Greene county to Bowlinggreen in Clay county;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Eggleston from a select committee, made the following report:

A majority of the select committee, to which was referred a petition of sundry citizens of Terre Haute, praying an extension of the limits of the corporation so as to embrace certain out-lots, together with a remonstrance on the same subject, have directed me to report that it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration thereof;

Which was read and concurred in by the House.

Mr. Liston, one of the managers appointed to prepare and prosecute articles of impeachment against Gustavus A. Everts, made the following report:

The managers heretofore appointed by the House to draft articles of impeachment against Gustavus A. Everts, the President Judge of the Eighth Judicial Circuit, for corruption and malfeasance in office, now report articles of impeachment accordingly, and recommend the adoption of the following resolution:

Resolved, That this House agree to the said articles of impeachment, and that the managers heretofore appointed on behalf of this House, exhibit the same to the Senate and demand that the said Gustavus A. Everts be required to appear before that body as a high court of impeachment, to answer to the same, and learn of the Senate a what time it will be convenient for them to enter into said trial.

J. A. LISTON,
E. M. HUNTINGTON,
T. J. EVANS,
R. W. THOMPSON

And the yeas and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Boone, Buell, Chamberlain, Chambers, Clark of Wayne, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Edmonston, Edward Eggleston, Graham, Gregg, Harris, Howell, Huntington, Jackson Jones, Lee of B., Lee of M. and C., Liston, Mason, McCarty, Mier, Morris, Murray, Myers, Posey, Ristine, Smith, Storm, Strain, Templeton, Thompson of J., Thompson of L., Walker of D., Witt, Whitman, Willett, Wilson, and Smith, Speaker—47.

And those who voted in the negative are,

Messrs. Bardwell, Brown, Howard, Hubbard, Algere, Macey, Nave, Phelps, Ray, Stapp, Vawter, and Zenor—12.

And so said resolution was adopted.

Mr. Chamberlain from a select committee, to which was referred a petition on that subject, reported

A bill (No. 177) for the establishment of a state road from Lima to Huntington;

Which was twice read (the rules of the House having first been dispensed with); and,

On motion of Mr. Chamberlain,

Re-committed to the same select committee, from which the same was reported.

Mr. Craig of M. from the select committee, to which was referred a petition on that subject, reported

A bill (No. 178) to establish a state road from Scott's ferry, in Morgan county, by the way of Hadley's mill in said county to Belville in Hendricks county;

Which was three times read and passed, (the rules of the House having been dispensed with.)

Ordered, That the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Chamberlain moved the adoption of the following resolution, which was read, and

On motion of Mr. Vawter,

Laid on the table, to wit:

Resolved, That the committee of ways and means inquire into the expediency of so amending the act entitled "an act to provide for an equitable mode of levying taxes," as to provide in section first, for taxing all horses over the age of four years; all neat cattle of the age of three years and upwards, excepting milch cows; all hogs over one year old, excepting six to each family. After the word "carriages," add, in a good serviceable condition:—after the word "clocks," add, "excepting those manufactured in this state." Strike out the words "all side boards, sofas, secretaries, bureaus, and desks," and insert, all household furniture, excepting the value of one hundred and fifty dollars, to each family." Add to section 13th, the following proviso: "provided that said assessor, in the assessment contemplated in this section, shall not take into consideration, any increase, in the value of any land occasioned by the clearing and cultivation thereof." In section 27, after the words and figures "a sum not exceeding 37½ cents," add, "excepting all such persons as, being actual residents, and having families, shall be the owner or owners of 50 dollars worth of taxable property."

Mr. Davis moved the adoption of the following resolution, viz:

Resolved, That the committee on canals and internal improvements be instructed to report a bill to this House, supplemental to a bill to provide for a general system of internal improvements, making it the duty of the board of internal improvement, to make out a list of all bids received by said board for contracts, on any and all works of internal improvement in this state, and report the same to the General Assembly, annually;

Which was read, and

On motion of Mr. Stapp,

Laid on the table.

Mr. Kilgore moved the adoption of the following resolution:

Resolved, That this House will hereafter proceed, to take up the orders of the day, at the hour of 3 o'clock P. M. on each day;

Which was read, and

On motion of Mr. Dunning,

Laid on the table.

Mr. Gregg moved the adoption of the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of authorizing *femes covert*, being minors, to convey real estate, by and with the consent of the probate court of the proper county, with leave to report by bill or otherwise;

Which was read, and decided in the negative.

Mr. Kilgore moved the adoption of the following resolution, viz:

Resolved, That this House will, the Senate concurring, adjourn *sine die*, on Saturday the 6th day of February next.

Mr. Thompson of L., moved to lay it on the table;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Bryan, Buell, Chamberlain, Clark of Wayne, Clark of Washington, Collins, Craig of M., Curtis, Danning, Edmonston, Edwards, Eggleston, Gregg, Harris, Howard, Hubbard, Huntington, Jackson, Jones, Lee of M. and C., Mason, Moore, Morris, Posey, Ray, Ristine, Stapp, Steele, Storm, Thompson of J., Thompson of L., Vawter, Walker of S., Watt, Whitman, Willett, Zenor—39.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Brown, Carr, Chambers, Chiles, Craig of P., Cushman, Davis, Graham, Harrow, Howell, Huckleberry, Killgore, Lee of B., Liston, Macey, McCarty, Miller, Murray, Myers, Nave, Phelps, Smith, Strain, Templeton, Thompson of A., Vandever, Walker of D., and Smith Speaker—30.

And so said resolution was laid on the table.

Mr. Vandever moved the adoption of the following resolution: viz:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the criminal law, that any person who may be confined in any county jail, on a charge for violating the peace, shall be discharged from such confinement, after the elapse of the period for which they were committed, and that they be not further confined, for the cost of the suit, but be subject to pay the same out of their estates;

Which was read, and

On motion of Mr. Moore,

Laid on the table.

Mr. Clark of Washington, moved the adoption of the following resolution:

Resolved, That the committee on the judiciary be instructed to report a bill, stating each offence separately, subjecting officers of the government to impeachment.

On motion of Mr. Thompson of Lawrence, said resolution was laid on the table.

Mr. Evans moved the adoption of the following resolution:

Resolved, That the Sergeant-at-Arms be directed to contract for the binding in one volume at the expense of the State, for each member and officer of this House, the reports of the assistant engineers employed by the State during the year 1835, and 50 additional copies thereof to be deposited in the office of the Secretary of State.

Mr. Clark, of Washington, moved to lay it on the table;

Which motion did not prevail.

Mr. Ray moved to amend it, by including the surveys and estimates of the White-water canal,

Which motion was lost.

Mr. Smith moved to amend said resolution, by striking out the words "each member," and insert "fifty-six copies;"

Which was decided in the negative.

Mr. Chamberlain moved to amend the same, as follows: "that said binding be deferred till after the survey of the Wabash and Michigan canal;

Which motion was negatived.

Mr. Huckleberry then moved to indefinitely postpone the further consideration of said resolution,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bennett, Boone, Carr, Chamberlain, Chiles, Clark of Washington, Edmonston, Eggleston, Harris, Howard, Hubbard, Huckleberry, Macey, Moore, Morris, Nave, Ray, Smith, Strain, Watt, Willett, and Zenor—23.

And those who voted in the negative are,

Messrs. Bardwell, Brown, Bryan, Buell, Chambers, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Edwards, Evans, Graham, Gregg, Harrow, Howell, Huntington, Jackson, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Mason, McCarty, Miller, Murray, Myers, Phelps, Posey, Ristine, Stapp, Steele, Storm, Templeton, Thompson of A., Thompson of J., Thompson of L., Van-deveer, Vawter, Walker of S., Whitman, and Smith, Speaker—46.

And so said motion did not prevail.

Mr. Howell moved to amend the said resolution by inserting after the word "engineer," "and also one copy of the act to provide for a general system of internal improvement;

Which motion was negatived;
 And the question then recurred on the adoption of the resolution,
 and was put;
 And the ayes and noes being called for by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Brown, Buell, Chambers, Clark of Wayne, Collins, Craig of M., Cushman, Davis, Dunning, Evans, Graham Harrow, Huntington, Jackson, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Mason, McCarty, Murray, Phelps, Posey, Ristine, Stapp, Storm, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of S., Whitman, and Smith, Speaker—38.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Bryan, Carr, Chamberlain, Chiles, Clark of Washington, Curtis, Edmonston, Edwards, Eggleston, Gregg, Harris, Howell, Howard, Hubbard, Huckleberry, Macey, Miller, Moore, Morris, Myers, Nave, Ray, Smith, Steele, Strain, Walker of D., Watt, Willett, and Zenor—31.

And so said resolution was adopted.

Mr. Mason presented

A joint resolution [No. 179] concerning a donation of land for the education of poor deaf, dumb, and blind persons;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Myers presented

A joint resolution [No. 180] relative to certain unclaimed lands in the Wabash bottoms below Vincennes in Knox county;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time to-morrow

On motion of Mr. Bennett,

The House resolved itself into committee of the whole to which was referred the bill [No. 100] to suppress gaming; and also a petition on the same subject, and after some time spent therein, the Speaker resumed the chair, and

Mr. Armstrong reported progress and asked leave to sit again;

Which leave was granted by the House.

A message from the Senate by Mr. Morrison their principal Secretary:

MR. SPEAKER—

The Senate has receded from their 1st and 2d amendments to the engrossed bill from the House of Representatives [No. 123] to provide for a general system of internal improvements; insisted on their 4th amendment, and concurred in the 1st and 2d amendments made

by the House of Representatives to the 10th amendment of the Senate to said bill, and Messrs. Hacket and Daily are appointed a committee of free conference on the part of the Senate, to take into consideration, in conjunction with a similar committee to be appointed on the part of the House of Representatives, the disagreement of the two Houses on the said 4th amendment of the Senate.

Ordered, That Messrs. Dunning and Collins be appointed a committee of free conference on the part of the House, to take into consideration, in conjunction with the committee on the part of the Senate, the disagreement of the two houses, on the said 4th amendment of the Senate, named in said message.

Ordered, That the clerk inform the Senate thereof,
And the House adjourned.

WEDNESDAY, JANUARY 20, 1836.

The Speaker laid before the House a communication from the engineers employed to survey the several canal and rail road routes in the state of Indiana, containing a table of the altitudes of the state.

On motion of Mr. Evans,

Ordered, that the same be printed.

Mr. Walker of D. presented the petition of sundry citizens of the county of Dearborn, on the subject of the county seat of said county;

Which,

On motion of Mr. Huntington,

Was laid on the table.

Mr. Stapp, presented the report of James H. Johnston, President of the Indiana Teachers Seminary;

Which,

On motion of Mr. Stapp,

Was referred to the committee, on education without reading.

Mr. Chamberlain presented the petition of James M. McCord and others, citizens of Elkhart county, praying an appropriation of \$7000 on the Fort Wayne and South Bend state road;

Which was read, and,

On motion of Mr. Chamberlain,

Referred to the committee on roads.

Mr. Eggleston presented the petition of A. McCorkill and others, citizens of Switzerland county, praying an appropriation of the three per cent. fund;

On motion of Mr. Eggleston,

Was laid on the table.

Mr. Posey, presented the petition of sundry citizens of the county

of Rush, praying the construction of two bridges over Flat rock in said county of Rush;

Which,

On motion of Mr. Posey,

Was committed to the committee on roads.

Mr. Thompson of J. presented the petition of Thomas Williams and others, of the county of Johnson, praying a change in a certain state road therein named;

Which was referred to a select committee of Messrs. Thompson of J., Hannaman, and Thompson of A., without reading.

Mr. Armstrong presented the petition of sundry citizens of the counties of Jefferson and Clark, praying a change in the county line dividing said counties;

Which was referred to a select committee of Messrs. Armstrong, Huckleberry, and ———.

Mr. Jackson (having first obtained leave) moved the adoption of the following resolution;

Which was read and adopted:

Resolved, That the committee on canals and internal improvements, be instructed to inquire into the expediency of reporting a bill to this House, extending the credit of the state to the Ohio and Indianapolis rail road company to the amount of \$500,000 on like conditions that it is extended to the Lawrenceburgh and Indianapolis rail road company, in a bill that passed the House of Representatives the present session of the General Assembly, entitled a bill to provide for a general system of internal improvement.

On motion of Mr. Thompson of L.,

The previous orders of the day were for the present postponed, and the House proceeded to consider the message from the Senate, relative to the amendments of the Senate to the bill of the House,

No. 81—amendatory of an act entitled an act establishing a State Bank, approved January 28, 1834;

When the question on the amendment offered by Mr. Nave, to the 9th amendment of the Senate to said bill, pending when the House adjourned on Friday last, was put, and decided in the negative.

Mr. Phelps moved to amend the said 9th amendment of the Senate as follows, to wit:

In making loans, the board of directors of each branch bank shall have reference to the accommodation of all the counties in such branch district in proportion to the population of each county in the district, when satisfactory notes are offered to such board of directors;

Which was decided in the negative.

And the question then recurred on concurring in the said amendment, and was put, and decided in the negative.

The 10th amendment of the Senate to said bill was read and concurred in by the House.

Ordered, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Foster their assistant Secretary:

Mr. SPEAKER—

The Senate has passed without amendment, engrossed bills from the House of Representatives entitled as follows;

No. 46—An act to legalize the proceedings of the board of commissioners of the county of Lawrence;

No. 47—An act to locate a state road from Booneville to Jasper.

No. 53—An act to establish a certain state road therein named;

No. 54—An act to locate a state road from New Albany in Floyd county, to Mauksport in Harrison county;

No. 55—An act for the establishment of a certain state road therein named;

No. 79—An act to amend an act entitled an act to establish a state road from Bedford in Lawrence county, via Washington in Daviess county to the Rapids of the Wabash river, at or near the mouth of White river, approved, January 20, 1831;

No. 115—An act authorizing the school commissioner of Dearborn county to sell and convey certain school lands therein mentioned;

No. 129—An act authorizing the location of a state road, from Marion in Grant county to Lagro in Wabash county;

Also bills of the Senate entitled as follows, viz:

No 37—An act to amend an act entitled an act for opening and repairing public roads and highways, approved Feb. 10, 1831;

No. 41—An act to incorporate the Parke county Seminary;

No. 42—An act authorizing the inhabitants of town 8 S., Range 2 W., to sell their school lands;

No. 43—An act to regulate the mode of petitioning the Legislature in certain cases;

No. 47—An act to incorporate the Logansport and Eel river bridge company;

No. 49—An act to incorporate the President and Trustees of the Rush county Seminary;

No. 51—An act to lay out a state road in the counties of Ripley and Dearborn.

No. 52—An act to establish a state road from Rome in Perry county to Jasper in Dubois county;

No. 53—An act relative to county orders in the county of Parke;

In which bills of the Senate the concurrence of the House of Representatives is requested.

The engrossed bill of the Senate

No. 37—Named in said message to amend an act entitled an act for opening and repairing public roads and highways, approved Feb. 10, 1831, was twice read (the rules of the House having been dispensed with), and,

On motion of Mr. Smith,

Referred to the committee on roads.

The engrossed bill of the Senate

No. 41—Therein named to incorporate the Parke county Seminary;
Was twice read, (the rules of the House having first been dispensed with,) and,

On motion of Mr. Steele,
Committed to the committee on education.
The engrossed bill of the Senate

No. 42—In said message, authorizing the inhabitants of township 8, south of range 2 west to sell their school lands;

Was twice read, (the rules of the House being dispensed with.)
Ordered, That the said bill be read a third time to-morrow.

The engrossed bill of the Senate

No. 43—To regulate the mode of petitioning the legislature in certain cases named in said message:

Was twice read (the rules of the House having first been dispensed with), and,

On motion of Mr. Vawter,
Referred to the judiciary committee.

The engrossed bill of the Senate named in said message,

No. 47—To incorporate the Logansport and Eel river bridge Company;

Was twice read by its title and referred to the judiciary committee.

The engrossed bill of the Senate

No. 49—Therein named, to incorporate the President and Trustees of the Rush county Seminary;

Was twice read (the rules of the House having first been dispensed with); when,

On motion of Mr. Posey,

The rules of the House were further dispensed with, said bill read a third time and passed.

Ordered, That the clerk inform the Senate thereof.

Leave of absence was granted to Mr. Hubbard until Monday morning next.

And the House adjourned.

2 o'clock, P. M.

The House met

And resumed the consideration of the message from the Senate last named; when,

The engrossed bill of the Senate,

No. 51—Named in said message to lay out a state road in the counties of Switzerland and Dearborn;

Was twice read (the rules of the House having for that purpose been dispensed with), and,

On motion of Mr. Smith of R.,

Referred to the same select committee to which a petition on the same subject had been previously referred.

The engrossed bill of the Senate,

No. 52--Named in said message, to establish a state road from Rome in Perry county to Jasper in Dubois county;

Was read three times, after a suspension of the rules of the House and passed.

Ordered, That the clerk inform the Senate thereof.

The engrossed bill of the Senate,

No. 53--In said message, relating to county orders in the county of Parke;

Was twice read (the rules being for that purpose dispensed with), & On motion of Mr. Steele, committed to the judiciary committee.

On motion of Mr. Liston,

The previous orders of the day were suspended, and

The engrossed bill [No. 128] to amend an act entitled an act to incorporate the St. Joseph Iron Company, was read a third time and passed.

Ordered, That the clerk inform the Senate thereof and ask their concurrence.

Mr. Evans on leave, presented

A bill [No. 181] to incorporate the Crawfordville, Covington, and Illinois Rail Road;

Which was twice read (the rules being dispensed with for the purpose), and,

On motion,

Referred to the committee on the judiciary

Mr. Craig of M. from the committee on elections, to whom was referred a resolution on that subject, reported

A bill [No. 182] to allow additional compensation to officers of elections;

Which was read the first time and ordered to a second reading on tomorrow.

Mr. Stapp from the committee on the judiciary made the following report:

Mr. SPEAKER--

The judiciary committee, to which was referred petitions;

1st. Of John Milroy, praying that the sale of certain lands be legalized;

2d. Of O. H. Sweem, relating to the delinquency of the collector in Hancock county;

3d. Of the citizens of the county of Lagrange, praying a change of the county seat in said county, and a remonstrance on the same subject;

4th. Of Nathaniel Hobbs and Archibald Allen, preferring charges against Thomas J. Golden, a justice of the peace in Crawford county;

Also a resolution to inquire what amendments are necessary to the law providing for the assessments of damages done to individuals by the construction of the Wabash and Erie Canal and other public works, have had the same under consideration and have instructed me to re-

port that legislative action is unnecessary on the subjects above named, and ask to be discharged from the further consideration thereof;

Which was read and concurred in by the House.

Mr. Brown from the same committee, reported back to the House, the bill previously referred to said committee,

No. 151—To incorporate the Eel river Steam Mill Company, with three amendments;

Which were read and concurred in by the House, and said bill ordered to be engrossed for a third reading on to-morrow.

Mr. Nave from the same committee, made the following report:

Mr. SPEAKER—

The judiciary committee, to which was referred the memorial and petition of James Sigerson, a citizen of the county of Hendricks, and State of Indiana, charging Noah Harding, an acting justice of the peace in and for Centre township in the county of Hendricks aforesaid, with malfeasance, nonfeasance, and corruption in his office as such justice of the peace, have had that subject under their consideration, and have directed me to report that an inquiry ought to be instituted by this House into the official and corrupt conduct of the said Noah Harding as such justice of the peace aforesaid, and to attain this object the committee recommend the adoption of the following resolution:

Resolved, That the judiciary committee be and they are hereby authorized and directed to send for all records, transcripts, and other papers that may by them be deemed necessary and requisite to prove and sustain said charges, and that said committee be further authorized and directed to prepare all suitable process, to have brought before them all such papers, dockets, and records, and such other evidence as they may deem necessary, and also to compel the attendance before them in the committee room, of all such witnesses as may by them be deemed necessary to give evidence relative to the said charges preferred against the said Noah Harding, by the said James Sigerson, and to effect the object aforesaid, the said committee shall be entitled to the process of the State of Indiana, to be issued by the Speaker of this House and by him signed, directed to the sergeant at arms of this House;

Which was read and ordered to lie on the table.

Mr. Ray from said committee, to which was referred a petition on that subject, reported

A bill [No. 183] to amend the 9th section of the act entitled an act relative to crimes and punishments, app'd. Feb. 10, 1831.

Which was read the first time and ordered to a second reading on to-morrow.

Mr. Ray from the same committee, reported back to the House the Bill [No. 17] to incorporate the town of Milton in Wayne county, with one amendment;

Which was read and concurred in, and the bill ordered to a third reading on to-morrow.

Mr. Vawter made the following reports:

The committee on roads, to which was referred the petition of A. M. Clark and others, praying the repeal of the 34th section of the act for opening public roads and highways, approved February 10, 1831, have had the same under consideration and the committee have directed me to report that legislation on that subject is inexpedient.

The committee on roads, to which was referred the petition of Clark A. Hall and others, praying a change in a state road in Gibson county, have had the same under consideration, and inasmuch as the law authorizes the circuit courts and boards of county commissioners to make changes in state roads, such as prayed for, the committee have directed me to report that legislation on that subject is inexpedient.

The committee on roads to which was referred the petition of Jacob Woolery and others, praying a grant of money to repair the lower Bloomington road through Leesville, have according to order, had the same under consideration, and the committee have directed me to report, that legislation on that subject at this time, is inexpedient.

The committee on roads to which was referred the petition of L. A. Fowler and others, praying the location of a state road from or near Sherwood's ferry, on the Kankakee, across Robison prairie, to the state line towards Chicago, have according to order had the same under consideration. And as it is probable the county of Porter will be organized by the Legislature this winter; and if so, the county board will be competent, and authorized to order the laying out all necessary roads within that section of country; and therefore the committee have directed me to report, that Legislation, in relation to said petition, is, at this time, inexpedient.

The committee on roads to which was referred the petition of John C. Kinney and others, praying a special grant of the three per cent. fund, on the state road leading through the northern tier of counties, have had the same petition under their consideration, and the committee have directed me to report, that legislation at this time, on the subject matter of said petition, is inexpedient.

The committee on roads to which was referred the petition of Wm. Griffith, praying an additional allowance to be made to the petitioner for work and labor done on the Michigan road, in the construction of a bridge, have according to order had the same under their consideration, and are of opinion, that from the showing of the petitioner himself, that he has been fairly dealt by, and that from the high character of the former arbitrators, it is not probable any others would, if appointed, give the petitioner what he would consider a fair compensation: and therefore the committee have directed me to report, that the prayer of the petitioner ought not to be granted.

The committee on roads to which was referred the petition of Ja-

cob Horner and others, praying the vacation of a state road therein named, have had the same under consideration, and the committee have directed me to report that legislation on that subject is inexpedient.

The committee on roads to which was referred the petition of Andrew Slinkard, praying an appropriation of twenty-eight dollars and sixty-six cents, to aid him in making payment for the building of a bridge across Slinkard's creek, have according to order had the same under consideration, and on reference to the report of the Treasurer of State, on the subject of the three per cent. fund, it will be seen that there is due the county of Greene, the sum of 600 dollars, out of which the petitioner may obtain the sum prayed for, if just, on application to the county commissioners of said county of Greene; the committee therefore ask to be discharged from the further consideration of said petition;

Which were severally read and concurred in by the House.

Mr. Liston from a select committee on petition, reported

A bill [No. 184] to locate a state road from the state line to Laporte,

Which was read the first time and passed to a second reading on tomorrow.

Mr. Craig of P., from the committee on roads, on petition, reported

A bill [No. 185] to locate a state road from New Harmony to Black's bridge on Big creek,

Which was read the first and second times, and

On motion of Mr. Eggleston,

Referred to a select committee of Mr. Stapp, for revision &c.

Mr. Evans, from the committee on canals and internal improvements, to which was referred bill No. 17, to incorporate the Lawrenceburgh and Harrison Turnpike Company, reported the same to the House without amendment; when,

On motion of Mr. Gregg,

Said bill was amended; and the said bill, on his further motion, was considered as engrossed, read the third time, and passed.

Ordered, That it be entitled an act and the clerk carry it to the Senate and ask their concurrence therein.

Mr. Harrow, from a select committee, made the following report:

The select committee to which was referred sundry petitions from the counties of Parke, Putnam and Montgomery, upon the subject of the formation of a new county, have had the same under consideration, and directed me to report, that it is inexpedient to legislate on that subject at this time, and ask to be discharged from the further consideration of that subject;

Which was read and concurred in by the House.

Mr. Thompson of A., from the select committee to which was referred a petition on that subject, reported

A bill [No. 186] to establish a state road from Raccoon village to Yellow river;

Which was twice read (the rules of the House having first been dispensed with, and

On motion, referred to the select committee of Mr. Stapp, for revision &c.

Mr. Eggleston, from the select committee to which was referred a petition on that subject, reported

A bill [No. 187] to incorporate the Vevay and Napoleon Turnpike Company;

Which was twice read, (after a suspension of the rules of the House) and committed to the judiciary committee.

Mr. Carr, from the select committee to which was referred the engrossed bill of the Senate No. 32, to provide for a justice of the peace in Rockford, Jackson county, reported the same back to the House with one amendment;

Which was read and concurred in by the House, when,

On motion, said amendment was considered as engrossed, and with the bill, read a third time and passed.

Ordered, That the clerk carry it to the Senate and ask their concurrence to the amendment of the House thereto.

Mr. Dunning, from the select committee to which was referred two petitions on that subject, reported

A bill [No. 188] to appropriate a part of the three per cent. fund, and for other purposes;

Which was twice read (the rules of the House having first been dispensed with), and ordered to be engrossed and read a third time tomorrow.

Mr. Chamberlain, from the select committee, to which was heretofore referred the bill No. 177, for the establishment of a state road from Lima to Huntington, reported it back to the House with one amendment;

Which was read and concurred in by the House, when

On motion of Mr. Vawter, said bill was referred to the select committee of Mr. Stapp, for revision &c.

Mr. Thompson of A., from the select committee to which was referred a petition on that subject, reported

A bill [No. 189] to incorporate the St. Joseph Mutual Insurance Company;

Which was twice read (the rules of the House having been dispensed with,) and committed to the judiciary committee.

On motion of Mr. Liston, the bill No. 10, to incorporate the South Bend Manufacturing Company, heretofore laid on the table, was taken up, and referred to a select committee of Messrs. Liston, Chamberlain and Thompson of A.

Mr. Dunning, from the select committee to which was referred a petition on that subject, reported

A bill [No. 190] to amend an act incorporating congressional townships and providing for public schools therein, approved February 2d, 1833;

Which was three times read (the rules of the House having first been dispensed with) and passed.

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Howell,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of amending "an act to provide for the inspection of salt, beef, flour, and tobacco," approved January 26, 1835, so as to authorize the board doing county business, to appoint two or more inspectors in each county; and also to inquire whether any law is necessary for the regulation of ware house-keepers, and report by bill or otherwise.

Mr. Clark of Wayne, moved the adoption of the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of levying a tax on dogs for the encouragement of raising sheep &c., and report by bill or otherwise.

Mr. Stapp moved to amend said resolution, by striking out the word "judiciary," and insert the words "of ways and means;"

When a division was called, and was thereupon put on the first branch thereof, to wit: on striking out,

And decided in the affirmative. And

The question then recurring on inserting the committee of ways and means,

Was put, and decided in the negative.

Mr. Posey moved to lay said resolution on the table,

Which motion did not prevail.

On motion of Mr. Ray, the blank was then filled by inserting the committee on agriculture. And the question then recurring on the adoption of the resolution, it was put,

And decided in the affirmative.

On motion of Mr. Posey,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law, regulating the duties of prison keepers, as to fix some amount as a compensation for their attendance on prisoners when confined in prison; to report by bill or otherwise.

Mr. Jackson, from the joint committee on enrolled bills, reported that they had compared the enrolled with the engrossed bills which originated in the House of Representatives, of the following titles to-wit:

No. 26—An act to incorporate the Vincennes academy;

No. 76—An act to incorporate the Evansville and Vincennes Rail Road Company,

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their president.

Mr. Kilgore presented

A joint resolution [No. 191] authorizing the publication of an act of Congress therein named,

Which was read the first time and passed to a second reading on to-morrow.

Mr. Whitcomb presented

A joint resolution [No. 192] concerning divorces;

Which was read the first time, and passed to a second reading on to-morrow.

Mr. Clark of Wayne, presented

A memorial and joint resolution [No. 193] to the Congress of the United States;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Chambers presented

A bill [No. 194] to incorporate the Hanover Steam Mill Company;

Which was read the first time, and passed to a second reading on to-morrow.

Mr. Storm presented

A bill [No. 195] providing for the incorporation of the Freedom Steam Mill Company;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Kilgore presented

A bill [No. 196] regulating the jurisdiction of justices of the peace in Delaware county;

Which was twice read (the rules of the House having first been dispensed with) and

On motion of Mr. Willett, committed to a committee of the whole, and made the order of the day for to-morrow.

Mr. Brown presented

A bill [No. 197] to establish a state road from Logansport in Cass county, to Monticello in White county;

Which was twice read (the rules of the House having first been dispensed with) and referred to the select committee of Mr. Stapp, for revision &c.

Mr. Collins presented

A bill [No. 198] to incorporate the New Albany Ferry Company;

Which was twice read (the rules of the House having first been dispensed with) and committed to the judiciary committee.

Mr. Craig of P., presented

A bill [No. 199] to amend an act entitled "an act regulating the jurisdiction and duties of justices of the peace," approved, February 10th, 1831;

Which was twice read (the rules of the House having first been dispensed with), and

On motion, committed to the judiciary committee.

And the House adjourned.

THURSDAY, JANUARY 21, 1836.

The House met.

Mr. Smith, the Speaker of the House, being absent owing to indisposition,

On motion of Mr. Morris, Mr. Stapp was appointed Speaker *pro tempore*.

A message from the Senate by Mr. Morrison their principal Secretary.

Mr. SPEAKER—

The Senate has passed without amendment, the engrossed bill from the House of Representatives

No. 58—entitled An act respecting the borough of Vincennes;

Also, bills from the House of Representatives, entitled as follows, viz:

No. 64—An act to change certain alleys in the town of Livonia,

No. 66—An act to provide for the election of a justice of the peace in the town of Brownsville,

No. 70—An act to incorporate the town of Vevay, and

A joint resolution and memorial No. 28, for the relief of Margaret Nation, and others, with amendments to the bills and joint resolution Nos. 64, 66, 70 and 28: also a bill and joint resolution of the Senate, entitled as follows, viz:

No. 56—An act to amend an act entitled, “an act to regulate the mode of doing county business in the several counties of this state,

No. 48—A joint resolution respecting Blackford’s reports,

No. 50—A joint resolution on the subject of authorizing the Secretary of State, to furnish the counties of Laporte and Allen, with copies of the revised laws,

In which bill and joint resolutions of the Senate, and amendments of the Senate to the bills and joint resolution and memorial of the House, the concurrence of the House of Representatives is requested.

The amendments of the Senate to the engrossed joint resolution of the House No. 28, therein named, for the relief of Margaret Nations and others,

Were severally read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The amendment of the Senate to the engrossed bill of the House

No. 64—to change certain alleys in the town of Livonia, was read and concurred in by the House.

Ordered, That the clerk inform the Senate.

The amendments of the Senate to the engrossed bill of the House, No. 66, to provide for the election of a justice of the peace, in the town of Brownsville, were read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The amendments of the Senate to the engrossed bill of the House No. 70—to incorporate the town of Vevay,

Was read and concurred in by the House.

Ordered, That the clerk inform the Senate.

The engrossed bill of the Senate,
No. 56--To amend an act entitled an act to regulate the mode of doing county business in the several counties in this state,

Was twice read (the rules of the House having first been dispensed with), and,

On motion of Mr. Mason,

Referred to the judiciary committee.

The engrossed joint resolution of the Senate,

No. 49--Named in said report, respecting Blackford's Reports,

Was read three times and passed, (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof.

The joint resolution of the Senate,

No. 50--Named in said message, on the subject of authorizing the Secretary of State to furnish the county of Allen and Laporte copies of the revised laws,

Was twice read and referred to the committee on the State Library, (the rules of the House having first been dispensed with.)

The engrossed bill of the Senate,

No. 58--Therein named, to locate a state road in Posey and Gibson counties,

Was twice read (the rules of the House having first been dispensed with) and referred to the select committee of revision of Mr. Stapp.

Mr. Dunning presented the petition of W. S. Wright and others, citizens of Monroe county, praying an act authorizing the sale of Jackson's Salt Lick Reservation;

Which,

On motion of Mr. Dunning,

Was laid on the table.

Mr. Morris presented the remonstrance of William Holmes against a state road passing through his land;

Which was referred to a select committee of Messrs. Morris, Hanaman, and Thompson of J. without reading.

A message from the Senate by Mr. Morrison their principal Secretary:

MR. SPEAKER--

The Senate has passed the following resolution:

Resolved, That the Senate will on the 22d instant, sit as a court of impeachment, for the purpose of hearing and determining the charges exhibited by the House of Representatives, in the name and on behalf of the State of Indiana, against the Honorable Gustavus A. Everts, President Judge of the Eighth Judicial Circuit of the State:--That the the President of the Senate be authorized to issue all such process or orders, to be executed by the sergeant at arms of the Senate, on the accused and witnesses as may be deemed proper, and that the House of Representatives be informed of the adoption of this resolution.

Mr. Chamberlain presented the petition of sundry citizens of the counties of Lagrange, Elkhart, and Steuben on the subject of a canal or rail road therein named;

Which,

On motion of Mr. Chamberlain,

Was referred to the standing committee on canals and internal improvements, without reading.

Mr. Jones presented the petition of Silas L. Halbert and others, citizens of the county of Martin, praying an act abolishing the county commissioners, and transferring their business to the justices of the peace in the respective counties;

Which,

On motion,

Was laid on the table.

Mr. Chamberlain presented the petition of Robert Latta and others, citizens of Lagrange county, praying a state road commencing at or near the centre of Lagrange county and running from thence to intersect the Lima and Fort Wayne state road where it crosses the middle fork of the Great Elkhart river;

Which,

On motion of Mr. Chamberlain,

Was referred to the committee on roads without reading.

Mr. Chamberlain presented the petition of sundry citizens of the county of Elkhart, praying an appropriation on the Vistula road; and also the remonstrance of sundry citizens of Lagrange county on the same subject;

Which,

On motion of Mr. Chamberlain,

Were referred to the committee on roads without reading.

Mr. Jones from the committee on elections, to which was referred a resolution on that subject, reported

A bill [No. 200] to amend an act entitled an act to regulate the mode of doing county business in the several counties in this state, approved Jan. 19, 1831;

Which was twice read (the rules of the House having first been dispensed with), and,

On motion of Mr. Davis,

Committed to the committee of the whole on to-morrow.

Mr. Edwards from the committee on elections made the following report:

Mr. SPEAKER—

The committee on elections, to which was referred a resolution of the House to inquire into the expediency of confining the voters of each county to vote in their respective townships, has had that subject under consideration and directed me to report it inexpedient to legislate on that subject;

Which was read and concurred in by the House.

Mr. Thompson of Johnson, from the committee on the judiciary, to which was referred a resolution on that subject, reported

A bill [No. 201] concerning fugitives from justice;

Which was twice read, (the rules of the House having first been dispensed with,) and,

On motion of Mr. Willett,

Committed to a committee of the whole and made the order of the day on to-morrow.

Mr. Wilson made the following report:

MR. SPEAKER—

The committee of ways and means to which was referred a resolution directing them to inquire into the expediency of devising some measure by which school commissioners and constables shall be furnished with the laws of this state;

Also a resolution directing an inquiry into the expediency of providing by law for the publication and distribution to all township officers of their respective duties in pamphlet form;

Also a resolution directing an inquiry into the expediency of providing for the publication and distribution to certain county officers of their respective duties in pamphlet form;

Also a resolution directing an inquiry into the expediency of so amending the 28th sec. of the act of last session, providing for an equitable mode of levying taxes, in this state, as that the pay of assessors be fixed at a certain *per diem* allowance, to be paid out of the county treasury on the order of the board doing county business;

Also a resolution directing an inquiry into the expediency of perfecting the ad valorem system of taxation so as to make it bear equal on all portions of community in this state;

Also a resolution directing an inquiry into the expediency of appropriating dollars for the purpose of relieving the suffering poor in the city of New York, who have lost their houses and property by fire in the late destruction by that element of a large portion of the city;

And also a resolution directing an inquiry into the expediency of providing in the bill regulating the revenue, a provision that the tax to be paid on foreign and domestic groceries and upon merchandize, shall be proportioned to the amount of capital employed; have had the same under consideration and directed me to report that legislation upon these subjects is inexpedient;

Which was read and concurred in by the House.

Mr. Ray from the committee on the affairs of the town of Indianapolis, to which was referred a petition on that subject, reported

A bill [No. 202] for the relief of Elizabeth Nowland and others, in regard to the donation lands in the town of Indianapolis;

Which was twice read (the rules of the House having been dispensed with), and,

On motion,

Committed to the committee of the whole and made the order of the day on to-morrow.

Mr. Bennett from the committee on claims, made the following report:

The committee on claims, to which was referred the claim of Wm. Johnson, special sheriff of Wabash county, having examined said claim, have directed me to recommend to the House the adoption of the following resolution:

Resolved, That the committee of ways and means be instructed to allow said Johnson, in the specific appropriation bill, the sum of seventy dollars, as a compensation for money by him expended in the apprehension of one Jeremiah Sullivan, who had been sentenced to the penitentiary;

Which was read and adopted.

On motion of Mr. Liston,

Resolved, That the use of this House be tendered to the Senate while sitting as a high court of impeachment for the trial of Gustavus A. Everts, the President Judge of the 8th Judicial Circuit of the state of Indiana.

On motion of Mr. Phelps,

Resolved, That the committee on roads be instructed to inquire into the expediency of enacting a law making it the duty of every agent heretofore appointed to expend any part of the 3 per cent fund to make a detailed account of their proceedings as such agent, to the Board doing county business at the May or January term of such year until a final settlement be made with such agent.

On motion of Mr. Craig of P.,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of directing the collectors of each county to advertise in two or three of the most public places in each township that he will attend on a day certain, at the usual place of holding elections, for the purpose of collecting the state and county revenue, and that any person or persons failing to pay his or their tax on or before such day, the collector shall be authorized to collect the same by suit before some justice of the peace of the township where such delinquent actually resides, or may be found.

On motion of Mr. Huntington,

The resolution by him heretofore moved, and laid on the table, proposing to set apart per cent. of the state revenue for the use of common schools, was taken from the table, when

Mr. Huntington moved to fill the blank therein by inserting "five."

Mr. Vandever moved to indefinitely postpone said resolution.

And on this question,

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bennett, Boone, Carr, Chambers, Clark of Washington, Craig of M., Craig of P., Cushman, Dunning, Edmonston, Harrow, Harris, Huckleberry, Lee of B., Lee of M. & C., Miller, Murray, Nave, Smith, Steele, Strain, Thompson of L., Vandever, Watt, and Zenor—26.

And those who voted in the negative are,

Messrs. Bardwell, Brown, Bryan, Buell, Chamberlain, Clark of Wayne, Curtis, Davis, Edwards, Eggleston, Gregg, Hannaman, Howard, Howell, Huntington, Jackson, Jones, Kilgore, Liston, Macey, Mason, McCarty, Moore, Morris, Myers, Phelps, Posey, Ray, Ristine, Storm, Templeton, Thompson of A., Thompson of J., Vawter, Walker of D., Walker of S., Whitman, Willett, Wilson, and Stapp, Speaker pro tem.—40

And so said resolution was not indefinitely postponed.

And the question on filling the blank with five, was put, and decided in the affirmative.

And the question then recurring on the adoption of said resolution, it was put;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Brown, Bryan, Buell, Chamberlain, Clark of Wayne, Curtis, Davis, Dunning, Edwards, Eggleston, Gregg, Hannaman, Howard, Howell, Huntington, Jones, Kilgore, Liston, Macey, Mason, McCarty, Moore, Morris, Myers, Phelps, Posey, Ray, Ristine, Storm, Templeton, Thompson of A., Thompson of J., Vawter, Walker of D., Walker of S., Whitman, Willett, Wilson, and Stapp, Speaker pro tem.—40.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Boone, Carr, Chambers, Clark of Washington, Craig of M., Craig of P., Cushman, Edmonston, Harrow, Harris, Huckleberry, Jackson, Lee of B., Lee of M. and C., Miller, Murray, Nave, Smith, Steele, Strain, Thompson of L. Vandever, Watt, and Zenor—26.

And so said resolution was adopted.

And the House adjourned.

2 o'clock, P. M.

The House met.

Mr. Morris, from a select committee, to which was referred a petition on that subject, reported

A bill (No. 203) to incorporate the Indianapolis insurance company;
Which was twice read and referred to the judiciary committee, (the rules of the House having first been dispensed with.)

On motion of Mr. Willett,

The bill (No. 80) and also the bill (No. 142,) heretofore laid on the table, was taken up, and committed to a committee of the whole to which a bill (No. 142) was heretofore committed, and made the order of the day on to-morrow.

Mr. Morris presented

A bill (No. 204) to incorporate the White river bridge company;

Which was twice read (the rules of the House having first been dispensed with,) and,

On motion,

Committed to the same committee of the whole to which was heretofore referred the bill (No. 166.)

Mr. Craig of P. presented

A bill (No. 205) to provide for transferring causes brought before justices of the peace to the circuit court where the title to real property comes in question;

Which was twice read and referred to the judiciary committee.

Mr. Collins presented

A bill (No. 206) to authorize the holding of an additional term of the Floyd circuit court;

Which was read the first time and passed to a second reading on to-morrow.

A Message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has insisted on its 6th and 9th amendments to the engrossed bill from the House of Representatives, (No. 81) amendatory of an act entitled an act establishing a State Bank; and concur in the amendment proposed by the House of Representatives to the 8th amendment of the Senate to said bill; and Messrs. Dumont and Conwell are appointed by the Senate a committee of free conference, to take into consideration, in conjunction with a similar committee to be appointed by the House of Representatives, the disagreeing votes of the two Houses on said bill.

Ordered, That Messrs. Liston and Thompson of L. be a committee of free conference on the part of the House of Representatives, to take into consideration, in conjunction with the committee on the part of the Senate, the disagreement of the two Houses on said amendments to said bill.

On motion of Mr. Huntington,

The previous orders of the day were for the present postponed, and the House proceeded to consider bills on their third reading.

The engrossed bill of the Senate,

No. 33—to incorporate the town of Rome in Perry county, was read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

The engrossed bill (No. 72) to provide for changing a part of the state road leading from Martinsville in Morgan county, to Danville in Hendricks county, was read the third time and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

The engrossed bill (No. 88) to give the circuit court of Hendricks county, jurisdiction in a certain case, was read the third time.

Mr. Huntington moved to recommit said bill to the same select committee on roads and revision with instructions to amend the same as to grant a divorce to the party for whose benefit the same is introduced;

Which motion was lost.

And the question then recurring on the passage of the bill, it was decided in the negative.

The engrossed bills,

No. 71—declaring a county road leading from Mooresville, Morgan county to Brite Pruitt's farm, a state road, and to change the same so as to make the town of Monrovia a point;

No. 40—to locate a certain state road therein named;

No. 133—to locate a state road therein named;

No. 83—for the establishment of a state road from Mishawaka in St. Joseph county in a northeast direction to the state line;

No. 130—to establish certain state roads in the counties of Cass, Miami, and Madison;

No. 34 of (the Senate) declaring a certain county road therein named a state road;

No. 171—authorizing the location of a state road from the county seat of Adams county to the centre of Steuben county;

No. 172—to establish a certain state road in Washington county; and

No. 173—to locate a state road from Noblesville to Andersontown;

Were severally read the third time, and committed to the select committee of Mr. Stapp for revision.

The engrossed bill (No. 137) to legalize the proceedings of Rezin Malott a road commissioner, was read the third time and passed.

Ordered, That it be entitled an act and that, the clerk carry it to the Senate and ask their concurrence therein.

The engrossed bills, No. 129—amendatory of an act entitled an act regulating practice in suits at law;

No. 126—to amend an act in furtherance of an act to provide a fund for common schools; and

No. 161—supplemental to an act entitled an act to regulate the practice in suits at law, approved Jan. 29, 1831;

Were severally read the third time, and,

On motion, committed to the judiciary committee.

Engrossed bills of the following titles, to wit:

No. 144—to incorporate the New Albany savings institution;

No. 148—to incorporate the town of New Albany:

No. 151—to incorporate the Eel river steam mill company; and

No. 170—to incorporate the town of Milton in Wayne county;

Were severally read the third time and passed.

Ordered, That they be entitled acts and that the Clerk carry them to the Senate and ask their concurrence therein.

The engrossed bill (No. 63) to incorporate the town of Indianapolis,

Was read the third time, and

On motion of Mr. Eggleston, referred to the judiciary committee.

The joint resolution [No. 57] on the subject of the survey of a rail road from Charleston in South Carolina, to some suitable point on the Ohio river in the State of Ohio or Indiana,

Was read the third time and passed.

Ordered, That the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Collins from the committee of free conference heretofore appointed on the part of the House of Representatives, made the following report:

Mr. SPEAKER—

The select committee of the House of Representatives, appointed to confer with a committee of the Senate on the subject matter of the amendment depending between the two houses to the bill entitled “an act to provide for a general system of internal improvement,” have had a free conference with the said committee of the Senate, and report the following as the substance of their proceedings.

The whole of that portion of the bill proposed to be amended by the Senate, is in the following words: “after having directed the board of public works to construct a rail road from Jeffersonville *via* New Albany to Salem &c., if practicable, the bill directs, if a rail road should be found impracticable, that a McAdamized turnpike road be constructed on the same route;” then follow these words:—“then and in that event, the said board shall either commence said road at Salem, or make such arrangements as may be deemed expedient and consistent with the interest of the State, with the Salem and Ohio turnpike company: *Provided however*, that the said board shall not make any arrangement with the said company, or otherwise, which shall have the effect to divert said road from the most direct and practicable route for the said road, between Salem and New Albany.”

The amendment made by the Senate was by striking out this proviso. The committee of the House of Representatives regarded this proviso as essential to the bill, to preserve the rights of the State, in said road, and to confine said company to the route designated in the earlier clauses of the bill. They looked upon it as guarding the interests of the country through which the road is to pass; inasmuch as it restricted the board of public works in their arrangements with the turnpike company, so as to confine the company to the selected points.—Had this proviso not been inserted, your committee have every assur-

ance that the friends of the bill could never have been brought to its support.—Their interests would be exposed to the management of a corporation at Salem, and the rights of the State deeply jeopardized in giving into the hands of that corporation, the profits and advantages of said route, on the most important part of it. The proviso is intended only to preserve these rights from jeopardy or prejudice. Your committee desired, however, to preserve the rights of the company from violation by the state, but could not see that the above proviso was calculated to interfere with any of the rights of said company. Your committee proposed as a substitute for all that part of the section which relates to an arrangement with the company on commencing the work at Salem, the following; commencing at the line of the bill after the words “and then and in that event the said board shall make such arrangement with the Salem and Ohio Turnpike Company for constructing the said road between Salem and New Albany to Jeffersonville, as may be in their opinion compatible with the interests of the State; and if no such arrangement can be made with said company, then the said board shall go on and construct said road on account of the State” —with the same proviso as above striking out the words, “direct and.” This proposition was negatived.

The committee of the Senate then proposed to adopt the proviso by striking out the words “direct and,” contending that they could not in their conference reach beyond the proviso or take notice of any thing behind it. This reason was answered by your committee, that not only the proviso was subject to review and modification, but all that portion of the text or section which was in any way qualified, limited or enlarged by it. The proposition to strike out the two words, was rejected by your committee, because by leaving them out, the board of public works would be left at liberty to allow said company to adopt their own route, to the manifest prejudice of a populous district of country, and to defeat the views of the friends of the bill. Your committee did not wish to see the interests of the State put in jeopardy, and therefore proposed taking out these words from the proviso, if their proposition could be adopted; for they consider that much is at stake, if the company should be given the absolute control of the route from Salem to the Ohio river.

When this latter proposal was rejected your committee proposed to drop the words “direct and” and insert the following at the end of the proviso: “And in the event of said board commencing said work at Salem, they shall proceed thence on the most practicable route to New Albany;”

This was also negatived.

Your committee then submitted the following proposition, to take place of the proviso in the bill of the House:

“Provided however, that said board shall make such arrangements with the Ohio and Salem Turnpike Company, (if the same can be done without prejudice to the interests of the state) for the construction of said road, and if the same cannot be done by said board, then and in that event, the said board shall proceed to construct said road,

commencing at Salem and running upon the most eligible route by the way of New Albany to Jeffersonville, so as not to interfere with the company aforesaid; and provided further, that if the said board shall deem it expedient, they shall be authorized to purchase out the said company, upon such terms as to them may appear proper;

The committee of the Senate refused to accept this proposal also.

The committee of the House was informed at this stage of the conference, by the Hon. the committee of the Senate, that they could accede to no terms varying from those already proposed by them. Your committee seeing no hope of adjusting the matter of difference between the two Houses, by any further exertions on their part, consented to dissolve the conference and report accordingly;

Which they do and ask to be discharged from further consideration of the matter.

Whereupon,

The committee was discharged from a further consideration of the subject matter therein.

The engrossed joint resolution (No. 135) on the subject of furnishing Allen county an additional number of the revised code, was read the third time, and,

On motion,

Ordered to lie on the table.

The engrossed joint resolution (No. 180) relative to certain unclosed lands in the Wabash bottom below Vincennes in Knox county, was read the third time and passed.

Ordered, That the clerk inform the Senate thereof and ask their concurrence therein.

The engrossed bill (No. 188) to appropriate a part of the three per cent. fund and for other purposes was read a third time and passed, and,

On motion of Mr. Huntington,

The title amended.

Ordered, That the Clerk inform the Senate thereof and ask their concurrence therein.

Mr. Thompson of L., from the committee of free conference on the part of the House of Representatives, made the following report:

Mr. SPEAKER—

The committee of free conference, to whom was referred the disagreement between the two Houses in relation to the disagreement of the House to the 6th amendment of the Senate and the disagreement of the House to the 9th amendment of the Senate to the bill of the House, entitled a bill amendatory of an act establishing a State Bank, approved January 28, 1834, have had a consultation upon the subject referred to them, and have agreed to strike out the word "Lagrange" in the 9th section of the bill of the House, and have also agreed to the 9th amendment of the Senate; in which they ask the concurrence of the House;

Which was read and concurred in by the House.

The engrossed bill of the Senate (No. 42) authorizing the inhabitants of township 8, south of range 2 west, to sell their school lands, Was read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Bills on their second reading were then considered:

The joint resolution (No. 82) confirming the sale of certain Michigan road lands, was read the second and third times, (the rules of the House having first been dispensed with) and passed.

Ordered, That the clerk inform the Senate thereof and ask their concurrence therein.

The bill (No. 84) to organize the county of Marshall, was read the second and third times, (the rules of the House being dispensed with) and passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Bills of the following titles to-wit:

A bill [No. 85] to establish a state road from Providence in Clark county, to Greenville in Floyd county;

No. 86—To locate a state road from the Michigan road in the direction of New Buffalo;

And the engrossed bill of the Senate [No. 21] to locate a state road from Michigan to intersect the road leading from Frankfort to Lafayette at Joseph McClelland's farm in Clinton county,

Were severally read the second time and referred to the select committee of Mr. Stapp for revision.

The engrossed bill of the Senate [No. 13] to amend an act approved Feb. 2d, 1833, entitled an act to amend an act regulating the interest on money in the State of Indiana, approved Feb. 1st, 1831,

Was read the second time, and,

On motion of Mr. Willett,

Indefinitely postponed.

The bills [No. 90] declaring a misprint, and,

No. 92—To organize Kosciusko county were severally read the second time, and

Ordered, To be engrossed and read a third time to-morrow.

Leave of absence was granted to Mr. Craig of M. until Monday morning next.

The bill [No. 93] to amend the act to incorporate the Michigan City and Kankakee Rail Road Company, was read the second and third times and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

The bill [No. 99] declaring Big Raccoon creek in the county of Parke a public highway, was read the second time, and,

On motion of Mr. Harrow, amended.

On motion of Mr. Steele,

The rules of the House were dispensed with, said bill considered as engrossed, read a third time and passed.

Ordered, That the clerk carry it to the Senate and ask their concurrence therein.

The bill [No. 101] to amend an act entitled an act to license and regulate taverns and groceries, app'd. Feb. 3d, 1832, was read the second time.

Mr. Vandever moved to indefinitely postpone the further consideration thereof,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Boone, Craig of P., Cushman, Lee of M. and C., Liston, Moore, Murray, Strain, and Vandever—9.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Brown, Bryan, Buell, Carr, Chamberlain, Clark of Wayne, Clark of Washington, Collins, Curtis, Davis, Dunning, Edmonston, Edwards, Gregg, Hannaman, Harrow, Harris, Howard, Howell, Huntington, Jackson, Jones, Kilgore, Lee of B., Macey, Mason, McCarty, Miller, Morris, Nave, Phelps, Posey, Ray, Ristine, Smith, Steele, Templeton, Thompson of A., Thompson of L., Thompson of J., Vawter, Walker of S., Watt, Whitman, Willett, Zenor and Stapp Speaker *protem*—49.

Mr. Dunning moved to commit said bill to a committee of the whole;

And before the question thereon was had,

Mr. Willett moved the previous question;

Which was seconded by a majority of all the members present,

And was thereupon put,

Shall the main question be now put?

Which was decided in the affirmative;

And the question was then put,

Shall said bill be engrossed for a third reading?

Which was decided in the affirmative.

And the House adjourned.

FRIDAY, JANUARY 22, 1836.

The House met

The Speaker laid before the House a communication from David McDonald, a statement of the proceedings of the Wabash insurance company;

Which was read, and

On motion, referred to the judiciary committee.

The Speaker also laid before the House, a communication from John H. Thompson, president judge of the second judicial circuit of Indiana, on the subject of an allowance to the clerk of the Floyd circuit court;

Which was read, and

On motion, referred to the committee of ways and means.

Mr. Jackson from the joint committee on enrolled bills reported, that they did on this day present to the Governor for his approval and signature, bills, memorials, and joint resolution, which originated in the House of Representatives, of the following titles, to wit:

No. 30—An act to organize the county of Fulton;

No. 29—An act to organize the county of Adams;

No. 41—An act to amend the act entitled an act to incorporate the Lexington Steam Mill Company, approved February 7, 1835;

No. 34—An act concerning the several townships of seminary lands in Monroe county,

No. 50—An act declaring the county road from Owensville to the mouth of the Patoka in Gibson county, a state road;

No. 61—An act authorizing the sale of the residue of one of the reserved sections of land in the reserved township of land in Monroe county,

No. 98—An act to change the name of the town of Somerset;

No. 106—An act to amend an act entitled an act to incorporate the town of Leavenworth, approved Feb. 7th 1835;

No. 59—A memorial and joint resolution on the subject of a purchase of a tract of land from the United States of America;

No. 38—An act to locate a state road from the north line of the State in the direction of Chicago;

No. 94—an act to repeal in part the act entitled an act for assessing and collecting the revenue, approved Feb. 10, 1831, and for other purposes.

No. 35—An act to locate a state road from South Bend in the direction of Bertrand;

No. 36—An act to locate a state road from portage point to the state line;

No. 37—An act to locate a state road from South Bend to the north line of the state;

No. 22—An act to amend an act entitled an act for the appointment of persons to receive deeds for lots or lands given or purchased for the use of schools, meeting houses, and masonic lodges.

No. 23—An act to locate a state road from Delphi in Carroll county, to Dayton in Tippecanoe county.

No. 25—An act declaring a certain road therein named, a state road;

No. 27—An act to repeal the act to incorporate the Crawfordsville Seminary;

Also, the following, which originated in the Senate:

No. 45—A memorial of the General Assembly of the State of Indi-

ana, praying an appropriation for the construction of a harbor at the mouth of trail creek;

No. 5—An act to legalize a certain act of James Davis, School Commissioner of Sullivan county;

No. 7—An act to repeal the act, approved Dec. 24, 1834, authorizing the relocation of a certain part of the New Albany and Vincennes state road at or near Fredericksburgh in Washington county;

No. 20—An act to incorporate the Perrysville and Danville Rail Road Company;

No. 11—An act to incorporate the New Port Steam Mill Company;

No. 25—An act to legalize the official acts of Joseph Reeder, and

No. 3—A memorial of the General Assembly of the State of Indiana to the Congress of the United States, praying further appropriation on the National road, within the limits of Indiana.

Mr. Evans presented the petition of J. Roop and others citizens of Fountain county, praying a state road from Eugene in Vermillion county to Crawfordsville;

Which was referred to the committee on roads without reading.

Mr. Evans also presented the petition of sundry citizens of the county of Fountain, praying a change in the state road leading from Covington to Newtown;

Which,

On motion of Mr. Evans,

Was referred to the committee on roads without reading.

Mr. Evans likewise presented the petition of sundry citizens of the county of Fountain, praying the construction of a rail or turnpike road from Crawfordsville to the state line, in the direction of Chicago;

Which,

On motion of Mr. Evans,

Was laid on the table.

Mr. Hannaman presented the remonstrance of Westly Smith and others, against authorizing a relocation of a part of the Noblesville and Crawfordsville state road in Boone county;

Which,

On motion of Mr. Hannaman,

Was referred to the same select committee to which was heretofore referred a petition on the same subject.

Mr. Thompson of A. presented the petition of John Jamison and others, citizens of Allen county, praying the election of a county prosecutor for said county; which,

On his motion,

Was referred to the Judiciary committee without reading.

Mr. Thompson of A. also presented the petition of sundry citizens of the counties of Allen and Lagrange, praying the appointment of a commissioner, to expend a portion of the three per cent fund on a certain state road therein named;

Which was referred to the committee on roads without reading.

Mr. McCarty presented the petition Olive H. Kelly, praying a divorce from her husband, Rosaman R. Kelly:

Which was read and referred to the judiciary committee.

Mr. Brown from the judiciary committee made the following report:

The judiciary committee to whom was referred the petition of H. B. Milroy and numerous other citizens of Carroll county in relation to the state road from Delphi to Muncietown, have had the same under their consideration and direct the same to be reported back to the House with following resolution:

That said petition be referred to the standing committee on roads;
Which was read and adopted.

Mr. Bennett, from the committee on claims, made the following report:

The committee on claims to whom were referred the claims of John H. Bradley, Lathrop M. Taylor, John B. Durett, and Allen Hamilton, witnesses subpoenaed to give testimony before the judiciary committee in the case of impeachment instituted against Gustavus A. Everts, President judge of the 8th judicial circuit, have according to order had said claims under their consideration, and have directed me to recommend the adoption of the following resolution:

Resolved, That the committee of ways and means be instructed to allow in the specific appropriation bill the following sums, viz: to John H. Bradly the sum of twenty-four dollars for 12 days detention; to Lathrop M. Taylor thirty-four dollars for travelling and detention; to John B. Durett ten dollars for 5 days travelling; and to Allen Hamilton forty dollars for time and detention, whole amount \$108 00.

Which was read and adopted.

Mr. Morris, from a select committee, made the following report:

Mr. SPEAKER—

The select committee to which was referred the petition of Samuel Darnell and 244 others, citizens of Marion county, praying the location of a state road from the Mooresville road to the National road, thence to the Lafayette state road, also the remonstrance of Wm. Holmes and 275 others against the location of said road,

Report that it is inexpedient to legislate at this time on that subject. In coming to this conclusion, the committee have been governed by the numbers presented on the petition and remonstrance.

They have also had under their consideration the petition of John H. Newland and 87 others, for a state road from his (Newlands) house to the Michigan road, and the remonstrance of James Bridges and 97 others, against the location of said road. There being ten more remonstrating than petitioning for said road, they have directed me to report inexpedient.

They therefore ask to be discharged from the further consideration of said petitions and remonstrances;

Which was read and concurred in.

Mr. Thompson of L., from the select committee, to which was referred a petition on that subject, reported

A bill (No. 208) to incorporate the Bedford Insurance company;

Which was twice read and referred to the judiciary committee.

Mr. Clark of Wayne from the select committee to which was referred a petition on that subject, reported

A bill (No. 209) to locate a state road, from Economy in Wayne county to the Flint Springs in Huntington county;

Which was twice read (after a suspension of the rules) and referred to the select committee on revision.

Messrs. Morris, Macey, and Eggleston were added to the select committee on revision.

Mr. Johnston from the joint committee on enrolled bills, reported that they did on this day, present to his excellency the Governor, for his approval and signature, bills which originated in the House of Representatives, of the following titles, to wit:

No. 76—An act to incorporate the Evansville and Vincennes rail road company;

No. 26—An act to incorporate the Vincennes Academy;

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their president.

On motion of Mr. Howell,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of amending the 14th section of an act to establish and regulate ferries, approved Feb. 10, 1831, that the same penalties shall be extended to citizens of this state, as to citizens of Kentucky or Illinois.

Mr. Huckleberry moved the adoption of the following resolution:

Resolved, That this House will, during the remainder of the session, meet at half past 8 o'clock, forenoon, and at half past 1 o'clock, afternoon, of each day;

Which was read and decided in the negative,

On motion of Mr. Jones,

Resolved, That the committee on claims be instructed to inquire into the expediency of allowing David McDonald a reasonable compensation for his services as prosecuting attorney in attending to a suit of the State of Indiana vs. the Wabash Insurance Company, and cause the same to be embraced in the specific appropriation bill.

On motion of Mr. Morris,

Resolved, That the claim of Isaac Blackford of \$168 for reports furnished the state, an account of which is herewith submitted, be referred to the committee on claims.

Mr. Jackson, from the joint committee on enrolled bills, reported that they had compared the enrolled with the engrossed bills which

originated in the House of Representatives, of the following titles to-wit:

No. 31—An act to legalize the sale of the west half of the public square in the town of New Castle;

No. 39—An act to vacate a part of the Indianapolis, Centreville, and Richmond state road in Wayne county;

No. 43—An act to change the time of holding the probate courts in Daviess county;

No. 44—An act to establish a state road therein named;

No. 46—An act to legalize the proceedings of the board of commissioners of the county of Lawrence;

No. 47—An act to locate a state road from Booneville to Jasper.

No. 53—An act to establish a state road therein named;

No. 54—An act to locate a state road from New Albany in Floyd county, to Mauksport in Harrison county;

No. 55—An act for the establishment of a certain state road therein named;

No. 79—An act to amend an act entitled an act to establish a state road from Bedford in Lawrence county, via Washington in Daviess county to the Rapids of the Wabash river, at or near the mouth of White river, approved, January 20, 1834;

No. 115—An act authorizing the school commissioner of Dearborn county to sell and convey certain school lands therein mentioned;

No. 129—An act authorizing the location of a state road, from Marion in Grant county to Lagro in Wabash county;

No. 58—An act entitled an act respecting the borough of Vincennes; And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Vandever presented

A bill [No. 210] to appropriate a part of the three per cent. fund in the county of Orange and for other purposes;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and the clerk carry it to the Senate and ask their concurrence therein.

Mr. Craig of P. introduced

A bill [No. 211] for the survey of a turnpike road from Mount Vernon in Posey county, to Princeton in Gibson county;

Which was twice read, and,

On his motion,

Referred to the committee on canals and internal improvements.

Mr. Armstrong presented

A bill [No. 212] to amend the several acts for the promotion of schools and education in Clark's Grant;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

A message from the Senate by Mr. Morrison their principal Secretary:

MR. SPEAKER—

The Senate has resolved itself into a High Court of Impeachment for the trial of Gustavus A. Everts, President Judge of the Eighth Judicial Circuit of the State of Indiana, and the court is now ready to hear the articles preferred by this House against said Everts, and to receive the managers appointed to conduct the impeachment in the Chamber of the Senate.

On motion of Mr. Willett,

The House then resolved itself into a committee of the whole to attend the managers appointed on the part of the House of Representatives, to the Senate chamber, to prefer articles of impeachment against Gustavus A. Everts, President Judge of the Eighth Judicial Circuit of Indiana, before the High Court of Impeachment—the said Senate of Indiana,

And after some time spent therein,

The Speaker resumed the Chair, when

Mr. Willett reported progress and asked leave to sit again;

Which leave was not granted by the House.

Mr. Mason presented

A bill [No. 213] to locate a certain state road therein named;

Which was twice read by the title by consent, and,

On motion,

Referred to the select committee on revision.

Mr. Evans from the judiciary committee, to which was referred the Bill [No. 181] to incorporate the Crawfordsville, Covington, and Illinois Rail Road Company, reported the same back to the House without amendment; when,

Said bill was considered as engrossed, read the third time by the title and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

A message from the Senate by Mr. Morrison their principal Secretary:

MR. SPEAKER—

The Senate has discharged its committee of free conference from the further consideration of the disagreeing votes of the two Houses on the 4th amendment of the Senate to the bill of the House of Representatives, [No. 123] to provide for a general system of internal improvements, and has receded from said amendment.

The following additional message was received from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has concurred in the report of the joint committee of free conference appointed to take into consideration the disagreeing votes of the two Houses on the 6th and 9th amendments of the Senate to the bill from the House of Representatives [No. 81] amendatory of an act entitled an act establishing a state bank, approved January 20, 1834.

Mr. Chamberlain presented a bill [No. 215] to organize the county of Noble,

Which was twice read (the rules of the House having first been dispensed with,) and

Ordered, To be engrossed and read a third time to-morrow.

Mr. Jones presented a bill [No. 214] regulating the mode of doing county business in the counties of Daviess and Martin;

Which was twice read (the rules of the House having been dispensed with), and,

On motion of Mr. Howell,

Committed to the committee of the whole, to which was heretofore referred a bill on the same subject.

Mr. Liston (on leave granted), from the select committee, to which was referred the bill [No. 91] to organize the county of Porter, reported the same to the House with amendments;

Which were read and concurred in; when,

On motion,

Said bill was considered as engrossed, read a third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

A message from his Excellency the Governor, by Mr. Ketcham his private Secretary:

Mr. SPEAKER—

I am directed by his excellency, the Governor, to inform the House of Representatives that on the 20th Jan. 1836, he approved an act entitled an act

No. 9—To incorporate the Madison Savings' Institution.

The House then proceeded to consider the orders of the day.

The bill (No. 104) to locate a state road in Dearborn county, from the South Hogan creek bridge to the north Hogan school house on the Lawrenceburgh and Indianapolis state road,

Was read the second time and referred to the select committee of revision.

The bill (No. 103) to incorporate the town of Dublin;

Was read the second and third times, (the rules of the House having been first dispensed with), and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

The bill (No. 105) to amend an act regulating the fees and salaries of the several officers and persons therein named;

Was read the second time, and,

On motion of Mr. Huckleberry,

Laid on the table.

The bill (No. 107) to provide for the recording of car marks and brands,

Was read the second time, and,

On motion of Mr. Vawter,

Amended by striking out the words "twenty-five" and inserting in lieu thereof "twelve and a half."

Ordered, That said bill be engrossed and read a third time to-morrow.

And the House adjourned.

2 o'clock, P. M.

The House met.

Bills of the following titles, to-wit:

No. 111—To locate a state road from Michigan City to the state line;

No. 112—to locate a state road therein named;

No. 113—to establish a state road from Cynthiana in Posey county to the mouth of the Patoka river in Gibson county;

Which,

On motion of Mr. Craig of P.,

Was amended.

No. 119—to establish a state road therein named;

No. 134—to locate a state road from Livonia to Milltown;

No. 150—to locate a state road from William Brummitt's in Greene county by way of Scotland in said county, Owl Prairie in Daviess county, thence to Vincennes in Knox county;

No. 153—to give the Fayette circuit court jurisdiction in certain cases;

No. 159—to establish a state road from the town of Elkhart, *via* Jamestown to the Michigan road; and,

No. 184—to locate a state road from the state line to Laporte;

Were severally read the second time and referred to the select committee of revision.

The bill (No. 110) making it the duty of the commissioners of Warren county to pay a commissioner for locating a state road therein named;

Was read the second time.

Mr. Buell moved to indefinitely postpone said bill;

Which motion was lost.

And the question then recurring on the engrossing of said bill for a third reading, was decided in the negative.

The bill (No. 117) to amend an act regulating the taking up of animals going astray, and water crafts and other articles of value adrift, approved Feb, 9, 1831, was read the second time, and,

On motion of Mr. Howell, laid on the table.

The bill [No. 118] to organize the county of Jay,

Was read the second and third times (the rules of the House having first been dispensed with), and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Wilson from the committee of ways and means, having obtained leave, made the following report:

Mr. SPEAKER—

The committee of ways and means, to which was referred sundry resolutions relative to the adoption of an ad valorem system of taxation; also a resolution requiring them to incorporate in the revenue bill a provision setting apart 5 per cent. of the state revenue in each county for school purposes, have had the same under consideration and have directed me to report

A bill [No. 216] to provide for an equitable mode of laying the taxes of this state;

Which was twice read (the rules of the House having first been dispensed with.)

Mr. Smith moved to commit said bill to a committee of the whole and make it the order of the day on to-morrow.

Mr. Dunning moved to amend said motion by making it the special order of the day on Monday next;

Which motion prevailed.

And the question then recurring on the motion to commit to a committee of the whole as amended,

It was put and decided in the affirmative.

Mr. Edmonston moved that 1000 copies of said bill be printed;

Which motion was lost.

Mr. Huckleberry moved 500;

Which did not prevail.

A division of the question was then called for, and was thereupon put on printing and decided in the affirmative;

When 250 copies was proposed, and decided in the affirmative.

The bill [No. 120] to amend an act entitled an act to incorporate the Crawfordsville Seminary, approved Feb. 7, 1835,

Was read the second and third times and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

The engrossed bill of the Senate

No. 22—to amend the act entitled an act regulating the taking up of animals going astray and water crafts and other articles of value adrift, app'd. Feb. 7, 1835,

Was read the second time, and,

On motion of Mr. Howell,

Referred to a select committee of Messrs. Howell, Kilgore, Johnston, and Vandever, and,

On motion of Mr. Johnston,

The bill [No. 117] heretofore laid on the table was taken up and referred to the same select committee.

The engrossed bill of the Senate

No. 26—to amend the execution law, was read the second time, and

On motion of Mr. Ray,

Committed to the committee of the whole and made the order of the day on to-morrow.

The bill (No. 131) for the relief of Elizabeth Hatfield,

Was read the second time; when,

On motion of Mr. Willett,

The House resolved itself into a committee of the whole thereon,

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Craig of P. reported said bill to the House with sundry amendments, in which the concurrence of the House was requested;

And the question was thereupon put and decided in the negative;

When,

On motion,

Said bill was referred to the select committee on revision.

The bill [No. 140] to amend an act entitled an act for assessing and collecting the revenue, approved Feb. 10, 1831,

Was read the second time, and,

On motion of Mr. Vandever,

Laid on the table.

Bills of the following titles, viz:

No. 141—to amend an act entitled an act regulating the fees and salaries of the several officers and persons therein named, approved February 7, 1831,

On motion of Mr. Dunning,

Amended so as to allow grand and travers jurors \$1 00 per day for their services during their attendance on courts.

No. 145—to revive and amend an act entitled an act to provide for the sale of certain lands therein named, approved Feb. 2, 1833; and,

No. 143—to amend an act relative to foreign attachments, approved January 20, 1831, were severally read the second time, and

Ordered, To be engrossed and read a third time to-morrow.

The bill [No. 146] to attach a part of the county of Harrison to the county of Floyd, was read the second time, and

On motion of Mr. Zenor,

Referred to the same select committee, from which it was reported.

The bills of the following titles, to-wit:

No. 147—to vacate a part of a certain street in the town of Washington in Wayne county;

No. 156—to revive and continue in force an act to incorporate the town of Washington in Daviess county, app'd. Jan. 31, 1832;

No. 206—to authorize the holding of an additional term of the Floyd circuit court,

Were severally read the second and third times, and passed, (the rules of the House having first been dispensed with.)

Ordered, That they be entitled acts and that the Clerk carry them to the Senate and ask their concurrence therein.

The Bill [No. 157] to locate a state road from Bowlinggreen in Clay county *via* Freedom in Owen county, as to intersect the Eel river road at or near Solomon Stone's in Greene county,

Was read the second time, and

On motion of Mr. Moore,

Laid on the table.

The bill [No. 160] to suspend an act providing for the location of the seat of justice in the county of Dearborn and for other purposes, approved Feb. 6, 1835,

Was read the second time, and,

On motion of Mr. Walker,

Laid on the table.

The joint resolution [No. 163] authorizing a geological and topographical survey of the state, was read the second time, and

On motion of Mr. Huntington,

Committed to the committee of the whole and made the order of the day on to-morrow.

The joint resolution [No. 179] concerning a donation of land for the education of poor, deaf, dumb, and blind persons,

Was read the second time, and

On motion of Mr. Gregg,

Committed to a committee of the whole and made the order of the day to-morrow.

The bill [No. 182] to allow additional compensation to officers of elections, was read the second time, and

On motion of Mr. Stapp,

Amended by striking out "fifty" and inserting "one dollar," and then,

On motion of Mr. Dunning,

Laid on the table.

The bill [No. 183] to amend the 9th section of an act relative to crimes and punishments, approved Feb. 10, 1831,

Was read the second time, and

On motion of Mr. Smith,

Committed to the same committee of the whole, to which was committed a bill on the same subject.

The joint resolution [No. 191] authorizing the publishing of an act of Congress therein named;

Was read the second and third times (the rules of the House having first been dispensed with) and passed.

Ordered, That the Clerk carry it to the Senate and ask their concurrence therein.

The joint resolution [No. 192] on the subject of the General Assembly granting divorces, was read the second time, and

On motion of Mr. Smith,

Committed to a committee of the whole and made the order of the day for to-morrow.

The memorial and joint resolution [No. 193] to the Congress of the United States, was read the second time, and

On motion of Mr. Posey,

Laid on the table.

The bill [No. 195] providing for the incorporation of the Freedom steam mill company, was read the second time, and

On motion of Mr. Moore,

Referred to the judiciary committee.

The bill [No. 194] to incorporate the Hanover Steam mill company, was read the second time, and

On motion of Mr. Stapp,

Referred to the judiciary committee.

On motion of Mr. Willett,

The vote heretofore taken on rejecting the bill [No. 1] to dissolve the bands of matrimony existing between Francis Means and her husband was re-considered;

And the question then recurring on the rejection thereof, was put and decided in the negative;

When said bill was read the second time, and

On motion,

Committed to the standing committee on canals and internal improvements.

The bill [No. 138] to amend an act declaratory of the powers of notaries public, approved Feb. 2, 1833, was indefinitely postponed.

And the House adjourned.

SATURDAY, JANUARY 23, 1836.

The House met.

Mr. Strain presented the petition of sundry citizens of the counties of Crawford and Washington, praying the repeal of an act establishing a certain state road in said counties;

Which was referred to a select committee of Messrs. Strain, Clark, and Phelps without reading.

Mr. Eggleston presented the petition of several citizens of Switzerland county, praying an appropriation of the 3 per cent. fund;

Which,

On motion of Mr. Eggleston,

Was laid on the table.

Mr. Buell presented the petition of Henry Jennings and others, of the unorganized county of Jasper, praying that a portion of the territory of said county may be permanently attached to the county of Warren;

Which was read and referred to a select committee of Messrs. Buell, Brown, and Liston.

Mr. Watt presented two several remonstrances of several citizens of the town of Brownsville and vicinity in Union county against a petition heretofore presented, praying an act authorizing the election of a justice of the peace for said town;

Which,

On motion of Mr. Kilgore,

Laid on the table.

Mr. Howell, presented the petition of Owen Davis of Warrick county, on the subject of a state road and the supervisor thereof;

Which,

On motion of Mr. Brown,

Was referred to the committee on education.

On motion,

Messrs. Howell and Graham were added to the committee on education.

Mr. Stapp, from the judiciary committee to which was referred the engrossed bill of the Senate,

No. 47—to incorporate the Logansport and Eel river bridge company,

Reported the same back to the House with amendments;

Which were read and concurred in, when said amendments were ordered to be engrossed, and with the bill, read a third time tomorrow.

Mr. Brown from the judiciary committee to which was referred

The bill (No. 205) to provide for transferring causes brought before justices of the peace to the circuit court where the title to real property comes in question;

Reported the same to the House without amendment, when,

On motion,

It was committed to a committee of the whole, and made the order of the day on Monday next.

Mr. Brown, from the same committee, to which was also referred

The bill (No. 198) to incorporate the New Albany ferry company, and also the bill (No. 194) to incorporate the Hanover steam mill company, reported the same back to the House without amendment, when said bills were severally ordered to be engrossed and read the third time on Monday next.

Mr. Stapp, from the judiciary committee to which was referred

The bill (No. 187) to incorporate the Vevay and Newport turnpike company, reported the same to the House with amendments;

Which were read and concurred in, when,

On motion of Mr. Smith,

Said bill was laid on the table.

Mr. Eggleston, from the same committee to which was referred

The bill (No. 87) to incorporate the northern insurance company of the state of Indiana, reported said bill to the House with amendments;

Which were read and concurred in, said bill was ordered to be engrossed and read the third time on Monday next.

Mr. Johnston, from the judiciary committee, made the following report:

Mr. SPEAKER—

The committee on the Judiciary, to whom was referred a resolution of this House instructing then to inquire into the expediency of so providing by law that the powers and jurisdiction of justices of the peace may be uniform throughout the state, and of revising, amending, and of reducing into an act, all laws now in force regulating the jurisdiction and duties of justices of the peace; also a resolution instructing them to inquire into the expediency of so amending the law upon the same subject, so as to require the justice of the peace before whom a case may be commenced, in which the title to lands or tenements shall come in question, to certify the proceedings had before him in such case to the circuit court; also a resolution instructing them to inquire into the expediency of requiring parties in all suits at law on contracts and tort, when required by the adverse party to be sworn as witnesses; and also sundry petitions and remonstrances on the subject of the jurisdiction and duties of justices of the peace, have according to order had the same under consideration, and have instructed me to report a bill, entitled

A bill to amend an act regulating the jurisdiction and duties of justices of the peace, approved Feb. 10, 1831;

Which said bill (No. 217) (after a suspension of the rules) was twice read by its title, and,

On motion,

Committed to a committee of the whole, and made the order of the day on Monday next.

Mr. Nave, from said committee, to which was referred the engrossed bill of the Senate,

No. 56—to amend an act entitled an act to regulate the mode of doing county business in the several counties in this state;

Reported the same to the House without amendment, when,

On motion,

Said bill was committed to a committee of the whole, and made the order of the day for Monday next.

Mr. Collins, from said committee, to which was referred the bill of the Senate,

No. 43—to regulate the mode of petitioning the Legislature in certain cases;

Made the following report;

Mr. SPEAKER—

The committee on the judiciary to which was referred bill 43 from the Senate entitled “an act to regulate the mode of petitioning the Legislature in certain cases,” have had the same under consideration, and deeming legislation on the subject inexpedient, have instructed me to report said bill back to the House, and recommend the indefinite postponement of the same.

Mr. Willett moved to commit said bill to a committee of the whole; Which was decided in the negative.

And the question then recurring on the indefinite postponment of said bill, it was put,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Chambers, Collins, Craig of P., Cushman, Davis, Dunning, Edmonston, Eggleston, Graham, Gregg, Howard, Howell, Huckleberry, Johnston, Jones, Lee of M. and C., McCarty, Morris, Murray, Myers, Nave, Phelps, Stapp, Steele, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, and Smith, Speaker—32.

And those who voted in the negative are,

Messrs. Bennett, Brown, Buell, Chamberlain, Chiles, Clark of Washington, Edwards, Harrow, Harris, Jackson, Moore, Posey, Ray, Ristine, Strain, Templeton, Walker of D., Watt, Willett, Wilson, and Zenor—21.

And so said bill was indefinitely postponed.

Mr. Collins from the judiciary committee to which was referred the bill No. 126, to amend an act in furtherance of an act to provide a fund to encourage common schools, reported the same back to the House with an mendment;

Which was read and concurred in.

Ordered, That said bill be engrossed and read the third time tomorrow.

Mr. Morris, from the judiciary committee to which was referred the bill No. 63, to incorporate the town of Indianapolis, reported the same back to the House, without amendment; when the question was put; shall said bill pass?

And decided in the affirmative.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Bennett, from the committee on claims, made the following report:

The committee on claims, to whom was referred a communication from His Excellency the Governor, upon the subject of remunerating persons who advanced money to supply with provisions the forces raised to suppress the insurrection on the line of the Wabash and Erie canal, in July last, have had that subject under their consideration, and have directed me to report the following bill:

A bill [No. 218] to authorize the payment of expenses incurred in suppressing a riot on the Wabash and Erie canal;

Which was read the first time and passed to a second reading on Monday next.

Mr. Vawter, from the committee on roads to which was referred the engrossed bill of the Senate No. 37, to amend an act, entitled, "an act for opening and repairing public roads and highways, reported the same back to the House, with amendments;

Which were read and concurred in; when

On motion of Mr. Vawter, the amendments were considered as engrossed, and, with the bill,

Read the third time and passed.

Ordered, That the clerk inform the Senate of the amendments of the House thereto, and ask their concurrence therein.

Mr. Stapp, from the select committee of revision to which was referred the bill No. 153 to give the Fayette circuit court jurisdiction in a certain case, reported the same to the House, without amendment, When

On motion of Mr. Stapp, said bill was laid on the table.

Mr. Smith, from the select committee to which was referred the engrossed bill of the Senate No. 51, to lay out a state road in the counties of Ripley and Dearborn, reported the same to the House with amendments;

Which were read and concurred in.

Ordered, That said amendments be engrossed and with the bill, read the third time on Monday next.

Mr. Strain, from the select committee to which was referred a petition on that subject, reported

A bill No. 219, to establish a state road from Livonia in Washington county, to Corydon in Harrison county;

Which was twice read, (the rules of the House having first been dispensed with) and

On motion, referred to the select committee on revision.

Mr. Thompson of L., from the select committee to which was referred a petition on that subject, reported

A bill [No. 220] to locate a part of a certain state road;

Which was twice read (the rules of the House having first been dispensed with) and

On motion, referred to the select committee on revision.

Mr. Johnston presented a joint resolution

No. 221, on the subject of furnishing such new counties as may hereafter be organized, with the laws of the State;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That the Clerk inform the Senate thereof and ask their concurrence therein.

On motion of Mr. Morris, the joint resolution No. 132 of the State of Indiana to the Congress of the United States, on the subject of granting a bounty in land to the organized militia men, mounted militia men, and rangers, of the last war, was taken from the table, read the third time and passed.

Ordered, That the clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Dunning, the memorial and joint resolution No. 193 to the Congress of the United States, heretofore laid on the table, was taken up, read the third time and passed.

Ordered, That the clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Huckleberry, the joint resolution No. 149 on the subject of providing compensation to the United States Rangers, raised under the act of Congress of June 1832, for horses lost by them whilst in the service, heretofore laid on the table, was taken up, read the third time and passed.

Ordered, That the clerk carry it to the Senate and ask their concurrence therein.

Mr. Vawter presented

A bill [No. 222] for the improvement of Morgantown, in Morgan county:

Which was read three times and passed (the rules of the house having first been dispensed with.)

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Craig of P., presented

A bill [No. 223] providing the mode of opening and repairing public roads and highways in Posey county;

Which was twice read, and

On motion of Mr. Morris, committed to the committee on roads.

Leave of absence was granted to Mr. Clark of Wayne until Monday week next; and

Leave of absence was also granted to Mr. Lee of B.

And the House adjourned.

2 o'clock, P. M.

The House met.

A Message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed without amendment, engrossed bills and joint resolutions from the House of Representatives entitled as follows, viz:

No 48—An act to make the Knox county Agricultural Society a branch of the State Agricultural Society of Indiana;

No. 128—An act to amend an act entitled an act to incorporate the St. Joseph's Iron Company;

No. 175—An act to vacate a part of a state road therein named and for other purposes;

No. 176—An act to authorize the location of a state road from the mouth of Eel river in Greene county to Bowlinggreen in Clay county;

No. 178—An act to establish a state road from Scott's ferry in Morgan county, by the way of Hadley's mill in said county, to Belville in Hendricks county;

No. 165—A joint resolution relative to the Marion county Library moneys;

No. 167—A joint resolution relative to the Michigan road lands;

Also engrossed bills of the Senate entitled as follows, viz:

No. 38—An act to encourage domestic manufactures;

No. 60—An act to charter and define the powers and duties of the trustees of the town of Evansville;

In which bills of the Senate the concurrence of the House of Representatives is requested.

The engrossed bill of the Senate [No. 38] to encourage domestic manufactures,

Was twice read (the rules of the House having first been dispensed with), and

On motion,

Referred to the committee on agriculture.

The engrossed bill of the Senate [No. 60] to amend the charter and define the powers and duties of the president and trustees of the town of Evansville;

Was twice read, (the rules of the House having first dispensed with), and committed to the judiciary committee.

The following message was also received from the Senate by Mr. Morrison their principal Secretary:

MR. SPEAKER—

The Senate has passed with amendments to each, an engrossed bill and a joint resolution from the House of Representatives entitled as follows, viz:

No. 89—An act to enable the school commissioners of the several counties of this state to correct the returns of the collectors;

No. 168—A joint resolution for the relief of James Scott;

In which amendments the concurrence of the House of Representatives is requested.

The amendments of the Senate to the engrossed bill of the House, No. 89—To enable the school commissioners of the several counties of this state to correct the returns of the collectors,

Were severally read and concurred in by the House.

The amendment of the Senate to the joint resolution,

No. 168—For the relief of James Scott, was read and concurred in by the House.

On motion of Mr. Vawter,

The previous orders of the day were for the present postponed, and The House again resolved itself into the committee of the whole on The bill [No. 62] authorizing a loan for the improvement of state roads and pledging the 3 per cent. fund for the payment thereof,

And after some time spent therein,

The Speaker resumed the Chair, and

Mr. Armstrong reported the said bill to the House without amendment, and asked to be discharged from the further consideration thereof,

Whereupon,

Said committee was so discharged.

Mr. Vawter then moved to refer said bill to a select committee.

Mr. Brown moved to indefinitely postpone said bill.

Mr. Stapp then moved to lay it on the table;

Which motion was lost;

And the question on the indefinite postponement thereof was then put,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Brown, Bryan, Buell, Carnan, Chiles, Curtis, Davis, Dunning, Edwards, Gregg, Harrow, Johnston, Kilgore, Lee of M. and C., Mason, McCarty, Morris, Myers, Nave, Posey, Ray, Steele, Thompson of J., Walker of S., Willett, and Smith, Speaker—26.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Boone, Carr, Chamberlain, Chambers, Clark of Washington, Collins, Craig of P., Edmonston, Eggleston, Graham, Harris, Howard, Howell, Huckleberry, Jackson, Jones, Miller, Moore, Murray, Phelps, Ristine, Smith, Stapp, Strain, Templeton, Thompson of A., Vandever, Vawter, Walker of D., Watt, Wilson, and Zenor—34.

And so said bill was not indefinitely postponed.

And the question then recurring on the motion to commit to a select committee; when

Mr. Davis moved to amend said motion by the following instructions:

To report a bill to the House for a loan of \$200,000 and to appropriate the same in those counties which are not benefitted by the bill to provide for a general system of internal improvement;

Which motion was lost.

Mr. Vandever then moved the following instructions:

To strike the bill out from the enacting clause and report a bill appropriating \$1,000 to each county in anticipation of the three per cent. fund as fast as it may accrue from the sales of the public lands;

Which was decided in the negative.

Mr. Huckleberry then moved to amend said motion by the following instructions:

To appropriate the sum proposed to be borrowed by the bill, to those sections of the country that have not had appropriations made them by the bill providing for the general system of internal improvements;

Which motion did not prevail.

Mr. Willett then moved to commit said bill to a committee of the whole;

Which was decided in the negative;

And the question then recurring on the motion to commit to a select committee,

It was put and decided in the affirmative.

Ordered, That Messrs. Vawter, Bennett, Eggleston, Ristine, and Thompson of A. be that committee.

And the House adjourned.

MONDAY, JANUARY 25, 1836.

The House met.

Mr. Davis presented the petition of James Kinkennon and others, citizens of the town of Middletown, in the county of Tippecanoe, praying an alteration and change in the name of said town, to the name of "West Point;"

Which was referred to a select committee of Messrs. Brown and Davis, without reading.

Mr. Morris presented the petition of Ann E. Johnston, widow of James Johnston deceased, and others, praying an act authorizing the sale of certain real estate therein named;

Which was read and referred to a select committee of Messrs. Morris, Stapp, and Huntington.

Mr. Vawter presented the petition of C. R. Hudson and others, praying the vacation of a part of a certain state road therein named, which

On motion of Mr. Vawter, was referred to the committee on roads, without reading.

Mr. Armstrong presented the petition of James McHenry, commissioner of a state road in Clark county, praying that the location of said road may be legalized; which,

On motion of Mr. Armstrong, was referred to the select committee of revision.

Mr. Dunning presented the report of the directors of the Levenworth and Bloomington Rail Road Company, which,

On motion, was referred to a select committee of Messrs. Dunning, Morris. Craig of M., Thompson of L., Boone, Vandever, Murray and Phelps.

Mr. Ray presented the petition of William Connell and others, citizens of the town of Cambridge, in Wayne county, praying an amendment of the law regulating taverns and groceries; which

On his motion, was laid on the table.

Mr. Howard of D., presented the petition of sundry citizens of said county of Dearborn, praying a division of said county, and

Mr. Eggleston presented the remonstrance of sundry citizens of the county of Switzerland, against a petition heretofore presented, praying the formation of a new county out of the counties of Dearborn and Switzerland, which were severally referred to the select committee appointed on that subject.

Mr. Walker of D., presented the petition of sundry citizens of Dearborn county, praying that the town of Lawrenceburgh may be stricken off from the State of Indiana, and ceded and attached to the State of Kentucky; which,

On motion of Mr. Walker of D., was read and referred to the select committee on the subject of a division of said county of Dearborn.

Mr. Ray, from the judiciary committee, to which was heretofore referred the bill [No. 195] providing for the incorporation of the Freedom Steam Mill Company, reported the same back to the House without amendment.

Ordered, That said bill be engrossed and read the third time to-morrow.

Mr. Brown, from the judiciary committee, made the following report:

The judiciary committee to whom were referred bills of the House numbered 139 and 161, relative to the act regulating suits at law, have had the same under their consideration, and have incorporated said bills, and report the same to the House without amendment, in one bill,

No. 161, supplemental to an act entitled, an act to regulate the practice in suits at law, approved January 29th, 1831;

Which amendment of the committee by incorporating said bills, was concurred in by the House, when

On motion of Mr. Bryan, said bill was considered as engrossed, read the third time, and passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Vawter, from the committee on roads, made the following reports:

Mr. SPEAKER—

The committee on roads to which was referred the petition of John McConnel and others, praying that the size of Kosciusko county be reduced, by detaching therefrom six miles of the south part of said county, have according to order had the same under consideration, and the committee have directed me to report that legislation on that subject is inexpedient.

MR. SPEAKER—

The committee on roads to which was referred the petition of Joseph Nicholas and others; also the petition of Rue Pugh Jr., and others, praying the appropriation of money for the erection of Bridges &c. also that provisions be made by law for the better improvement of public roads, have, according to order, had the same under consideration, and the committee have directed me to report, that legislation on the subject of appropriating money, as prayed for, is, at this time, inexpedient, and that the balance of the prayer of said petitioners has been provided for in a bill heretofore acted on, by the two houses of this General Assembly;

Which were read and concurred in by the House.

On motion of Mr. Stapp,

The committee on canals and internal improvements to which was referred the bill,

No. 1—to dissolve the bands of Matrimony existing between Francis Means and her husband, William C. Means, was discharged from the further consideration thereof, and said bill was laid on the table.

On motion of Mr. Johnston,

Mr. Hubbard was added to the committee on enrolled bills.

Mr. Eggleston, from the select committee, to which was referred a petition on that subject, reported

A bill (No. 224) to incorporate the town of New York, in Switzerland county;

Which was read the first time, and passed to a second reading on to-morrow.

Mr. Liston, from the select committee, to which was referred

The bill (No. 10) to incorporate the South Bend manufacturing company, reported the same back to the House with amendments;

Which were severally read and concurred in, when,

On motion of Mr. Liston,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

When,

On motion of Mr. Liston,

The title of said bill was amended.

Mr. Buell, from the select committee, to which was referred a petition on that subject, reported

A bill (No. 226) to enlarge the county of Warren;

Which was twice read (the rules of the House having first been dispensed with.)

On motion of Mr. Davis,

Said bill was laid on the table.

Mr. Thompson of L., from a select committee, made the following report:

MR. SPEAKER—

The select committee to whom was referred a resolution of the House instructing an inquiry into the expediency of abolishing public executions, have, after due consideration bestowed upon the same, directed me to report a bill.

A bill (No. 225) to abolish public executions;

Which was read the first time.

Mr. Vanderveer moved to reject said bill;

Which motion was decided in the negative, when

Said bill passed to the second reading on to morrow.

Mr. Walker of D., from a select committee, made the following report:

MR. SPEAKER—

The select committee to which was referred the petition of John Vanosdol and others, praying a review on part of a state road leading from the town of Rising Sun in Dearborn county to Crossplains in Ripley county, have had the same under their consideration, and the remonstrance of Thomas Cole and others, against said review. The committee have directed me to report, that it is inexpedient to legislate on the same any further.

Which was read and concurred in.

Mr. Buell, from the select committee, to which was referred the bill,

No. 136—to incorporate the judicial townships in Warren county;

Reported the same to the House, with amendments;

Which were read and concurred in.

Ordered, That said bill be engrossed and read a third time to morrow.

Mr. Dunning, from the committee on the state library, to which was referred the engrossed bill of the Senate,

No. 50—on the subject of authorizing the Secretary of State to furnish the counties of Allen and Laporte with copies of the revised laws, reported the same to the House without amendment.

Ordered, That said bill be read the third time to morrow.

Mr. Ray presented

A bill (No. 227) to amend an act regulating distress for rent, approved Feb. 1, 1831;

Which was read the first time, and passed to a second reading on to-morrow.

Mr. Storm presented

A bill (No. 228) to appropriate so much of the 3 per cent. fund as is now due to Greene county;

Which was twice read (the rules of the House having first been dispensed with,) and,

On motion of Mr. Vawter,

Was referred to the committee on roads. ✓

Mr. Graham presented

A bill (No. 229) for the relief and benefit of Thomas Smith;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Craig of M. presented

A bill (No. 230) to attach the county of Morgan to the 15th brigade of Indiana militia;

Which was three times read and passed, (the rules of the House being dispensed with,)

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Myers presented

A bill (No. 231) to incorporate the Vincennes manufacturing company;

Which was twice read, (the rules of the House having first been dispensed with,) and,

On motion,

Referred to the judiciary committee.

Mr. Steele presented

A bill (No. 232) declaring a certain road therein named a state road;

Which was twice read (the rules of the House having first been dispensed with,) and,

On motion,

Referred to the select committee on revision.

Mr. Morris presented

A bill (No. 233) to change the time of holding circuit courts in the fifth judicial circuit;

Which was twice read (the rules of the House having first been dispensed with) and referred to the judiciary committee.

Mr. Kilgore presented

A bill (No. 234) to change the time of holding commissioners court in the county of Delaware;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered. That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Jackson, from the joint committee on enrolled bills, reported that they had compared the enrolled with the engrossed bill, which originated in the House of Representatives of the following title, to wit:

No. 123—An act to provide for a general system of internal improvements;

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry it to the Senate for the signature of their President.

On motion of Mr. Smith,

The previous orders of the day were for the present postponed, and The bill [No. 187] to incorporate the Vevay and Napoleon turnpike company, was taken from the table, and

On the respective motions of Messrs. Smith, Jackson, and Walker of D. was amended, and

Ordered, To be engrossed and read the third time to-morrow.

Bills on their third reading were then considered:

The engrossed bills,

No. 90—declaring a misprint, and

No. 92—to organize Kosciusko county,

Were severally read the third time and passed.

Ordered, That they be entitled acts, and that the Clerk carry them to the Senate and ask their concurrence therein.

The engrossed bill [No. 101] to amend an act entitled an act to license and regulate taverns and groceries, approved February 3, 1832, was read the third time.

Mr. Ristine moved to commit said bill to a select committee with instructions to amend the same by striking out in the 7th line and 2d section, the words "person who is known to be an habitual drunkard."

Mr. Clark of Washington moved to amend said instructions by striking out that part of the bill "disqualifying a person obtaining a license for two years after having been convicted of an offence under the provisions thereof;"

Which motion was decided in the affirmative;

And the question then recurring on committing to a select committee, with the instructions as amended, was put and decided in the affirmative.

Ordered, That Messrs. Ristine, Clark of Washington, and Ray be that committee.

The engrossed bill [No. 107] to provide for the recording of ear marks and brands, was read the second time, and

On motion of Mr. Clark of Washington,

Indefinitely postponed.

The engrossed bill [No. 141] to amend an act entitled an act to regulate the fees and salaries of the several officers and persons therein named, approved February 7, 1831, was read the third time, and

On the question shall the bill pass?

Those who voted in the affirmative are,

Messrs. Boone, Brown, Buell, Carnan, Carr, Chamberlain, Chiles, Clark of Washington, Collins, Craig of P., Curtis, Davis, Dunning, Edwards, Eggleston, Evans, Gregg, Harrow, Harris, Howard, Hubbard, Huntington, Jackson, Johnston, Kilgore, Lee of M. and C., Mason, McBean, Morris, Murray, Myers, Posey, Ray, Ristine, Smith, Stapp, Steele, Strain, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Watt, Whitman, Willett, Wilson, Zenor, and Smith, Speaker—50.

And those who voted in the negative are,

Messrs. Armstrong, Bryan, Craig of M., Cushman, Edmonston, Graham, Howell, Huckleberry, McCarty, Miller, Moore, Nave, and Phelps—13.

And so said bill passed.

Ordered, That it be entitled an act and the clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Howell,

The previous orders of the day were dispensed with and the resolution heretofore moved by Mr. Kilgore, fixing on the 6th February next as the day for an adjournment *SINE DIE*, was taken from the table; when Mr. Kilgore withdrew the same.

On motion of Mr. Willett,

The previous orders of the day were for the present postponed and The House proceeded to consider the bill [No. 162] to subject equitable interest and choses in action to execution; when

Mr. Willett moved to so amend the same as that the provisions thereof shall not effect the rights of any person or body corporate or politic, vested according to common law previous to the passage of said act; Which motion prevailed.

Ordered, That said bill be engrossed and read the third time tomorrow.

And the House adjourned.

2 o'clock, P. M.

The House met

Mr. Jackson from the joint committee on enrolled bills, reported that they had compared the enrolled with the engrossed bill which originated in the House of Representatives of the following title, to wit:

No. 81—An act amendatory of an act entitled an act establishing a state bank, approved January 28, 1834,

And find the same truly enrolled.

Whereupon,

The Speaker signed said bill.

Ordered, That the clerk carry it to the Senate for the signature of their president.

Mr. Chamberlain having obtained leave, moved the adoption of the following resolution:

Resolved, That the committee on claims be instructed to investigate the claims of Charles Irwin, Samuel C. Sample, Henry Cooper, John Norris, and George Beals, for their travel and attendance as witnesses in the investigation of charges against Judge Everts, and to allow said witnesses a reasonable compensation therefor;

Which was read and adopted.

Mr. Bennett from the committee on claims having obtained leave, made the following report:

The committee on claims to whom were referred the claims of Samuel C. Sample, Henry Cooper, Charles Irwin, John Norris, and George Beals, witnesses subpoenaed to give evidence in the case of impeachment instituted against Judge Everts, have according to order had said several claims under their consideration and have instructed me to report the following resolution:

Resolved, That the committee of ways and means be instructed to allow in the specific appropriation bill to Samuel C. Sample, Henry Cooper, John Norris, and George Beals each the sum of \$50 00, and to Charles Irwin \$60 00, as a compensation to them as such witnesses.

The committee on claims have further instructed me to recommend to the House the adoption of the following resolution:

Resolved, That a committee of ways and means be instructed to make in the specific appropriation bill an allowance to Josiah Grover of \$56 00 and to Alexis Coquillard \$40 00 as a compensation to them as witnesses in the above case;

Which resolution was read and adopted.

On motion of Mr. Dunning,

The House resolved itself into the committee of whole to which was referred the bill [No. 216] to provide for an equitable mode of levying the taxes of this state,

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Ray reported progress and asked leave to sit again;

Which leave was granted by the House.

Leave of absence was granted to the committee on canals and internal improvements during the forenoon on to-morrow.

Mr. Kilgore having obtained leave, moved the adoption of the following resolution:

Resolved, That the committee on claims be instructed to investigate the claim of William Hannah who has been detained at the request of G. A. Everts as a witness in behalf of said Everts;

Which was read and adopted.

And the House adjourned.

TUESDAY, JANUARY 26, 1836.

The House met.

Mr. Chamberlain presented the petition of D. Sprague, and others, citizens of Michigan city, and vicinity, praying an appropriation on a certain state road therein named; which

On motion of Mr. Chamberlain, was referred to the committee on roads without reading-

Mr. Huntington from the committee on education, to which was referred the petition of Owen Davis, of Warrick county, reported that said committee had had the said petition under their consideration, and had directed him to report, that it was inexpedient to legislate on said petition, and thereupon,

On his motion, said committee were discharged from a further consideration thereof; when

On motion, said petition was laid on the table.

Mr. Johnston from the joint committee on enrolled bills reported, that they did on this day present to His Excellency the Governor for his approval and signature, bills, which originated in the House of Representatives, of the following titles, to wit:

No. 97—An act to change the name of Greensborough in Franklin county, to that of Blooming Grove;

No. 31—An act to legalize the sale of the west half of the public square in the town of New Castle;

No. 39—An act to vacate a part of the Indianapolis, Centreville, and Richmond state road in Wayne county;

No. 46—An act to legalize the proceedings of the board of commissioners of the county of Lawrence;

No. 43—An act to change the time of holding the probate courts in Daviess county;

No. 44—An act to establish a state road therein named;

No. 47—An act to locate a state road from Booneville to Jasper.

No. 53—An act to establish a state road therein named;

No. 54—An act to locate a state road from New Albany in Floyd county, to Mauksport in Harrison county;

No. 55—An act for the establishment of a certain state road therein named;

No. 79—An act to amend an act entitled an act to establish a state road from Bedford in Lawrence county, via Washington in Daviess county to the Rapids of the Wabash river, at or near the mouth of White river, approved, January 20, 1834;

No. 58—An act respecting the borough of Vincennes;

No. 129—An act authorizing the location of a state road, from Marion in Grant county to Lagro in Wabash county;

No. 115—An act authorizing the school commissioner of Dearborn county to sell and convey certain school lands therein mentioned;

A message from the Senate by Mr. Morrison their principal Secretary;

Mr. SPEAKER—

The Senate has passed without amendment, bills from the House of Representatives, entitled as follows, viz:

No. 93—An act to amend the act to incorporate the Michigan city and Kankakee Rail Road Company;

No. 147—An act to vacate part of a street in the town of Washington, in Wayne county:

No. 174—An act for the appointment of commissioners to review and extend a state road in the county of Switzerland; also

Bills from the House of Representatives of the following titles, with an amendment to each, viz:

No. 91—An act to organize the county of Porter, and for other purposes;

No. 118—An act to organize the county of Jay; also

A bill of the Senate entitled as follows, viz:

No. 59—An act to incorporate the Rome Savings Institution,

In which bill of the Senate and amendments of the Senate to the bills from the House of Representatives, the concurrence of the House of Representatives is requested.

The amendment of the Senate to the engrossed bill of the House of Representatives [No. 91] to organize the county of Porter, and for other purposes,

Was read, when the House disagreed thereto.

Ordered, That the clerk inform the Senate thereof.

The amendment of the Senate to the engrossed bill of the House of Representatives [No. 118] to organize the county of Jay, was read and concurred in.

The engrossed bill of the Senate No. 59, named in said message, to incorporate the Rome Savings Institution,

Was twice read, and committed to the judiciary committee, (the rules of the House having first been dispensed with.)

Mr. Dunning from the select committee to which was referred a petition on that subject, reported

A bill [No. 235] to amend an act entitled an act concerning free negroes and mulattoes, servants and slaves, app'd. Feb. 10, 1831;

Which was twice read, and

On motion of Mr. Dunning,

Committed to a committee of the whole and made the order of the day on to-morrow, (the rules of the House having first been dispensed with.)

On motion of Mr. Edmonston,

Resolved, That the committee on claims be instructed to inquire into the expediency of allowing a claim of \$21 24 to Arthur S. Blgrave, the collector of the state revenue for the county of Dubois, for the year 1835, the said amount having been paid by him into the State Treasury, over and above what was due, being the amount of the delinquent list of state revenue in said county, with leave to report by resolution or otherwise.

Mr. Liston presented a bill,

[No. 236] providing for the holding of the circuit court in the eighth judicial circuit;

Which, (after a suspension of the rules for that purpose) was read three times and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

The House then proceeded to consider bills on their third reading.

The engrossed bill [No. 143] to amend an act relative to foreign attachments, approved January 20th, 1831,

Was read the third time, and

On motion of Mr. Kilgore, laid on the table.

Engrossed bills, of the following titles, to wit:

No. 215—to organize the county of Noble, and

No. 145—to revive and amend an act entitled an act to provide for the sale of certain lands therein named, approved February 2d, 1835,

Were severally read the third time and passed.

Ordered, That they be entitled acts, and that the clerk carry them to the Senate and ask their concurrence therein.

Mr. Bennett from the committee on claims, made the following report:

The committee on claims having been convinced that no allowance has yet been made to William Hanna, a witness detained nine days in the case of impeachment against Judge Everts, have directed me to recommend to the House, the adoption of the following resolution:

Resolved, That the committee of ways and means be instructed to allow in the specific appropriation bill to said William Hanna the sum of \$18 00;

Which said resolution was read and adopted.

The Speaker laid before the House a report of the canal fund commissioners, which was read, and

On motion of Mr. Morris,

Referred to the joint committee on the canal fund.

On motion of Mr. Willett,

Ordered that 1000 copies of said report be printed.

The Speaker also laid before the House a report of the Lawrenceburgh and Indianapolis Rail Road Company;

Which was read, and

On motion,

Referred to the committee on canals and internal improvements.

The engrossed bill [No. 136] to incorporate the judicial townships in Warren county, was read the third time and passed; when,

On motion of Mr. Brown,

The title of said bill was amended by including the counties of Tippecanoe and Fountain.

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Johnston from the joint committee on enrolled bills, reported that they did on this day, present to his excellency the Governor, for his approval and signature, bills which originated in the House of Representatives, of the following titles, to wit:

No. 123—An act to provide for a general system of internal improvements;

No. 81—An act amendatory of an act entitled an act establishing a state bank, approved January 28, 1834,

A message from his Excellency the Governor, by Mr. Ketcham, his private Secretary:

Mr. SPEAKER—

I am directed by his Excellency the Governor to inform the House of Representatives, that on the 23d January 1836, he approved the acts and memorial entitled as follows:

An act (No. 29) to organize the county of Adams;

An act (No. 30) to organize the county of Fulton;

A memorial and joint resolution (No 59) on the purchase of a tract of land of the United States.

The engrossed bill (No. 162) to subject equitable interest and choses in action to execution,

Was read the third time, and

On motion,

Laid on the table.

The joint resolution of the Senate [No. 50] on the subject of authorizing the Secretary of State to furnish the counties of Allen and LaPorte with copies of the revised laws,

Was read the third time, and passed.

Ordered, That the clerk inform the Senate thereof.

The engrossed bills,

No. 187—to incorporate the Vevay and Napoleon turnpike company, and

No. 195—providing for the incorporation of the Freedom steam mill company, were severally read the third time and passed.

Ordered, That they be entitled acts and that the Clerk carry them to the Senate and ask their concurrence therein.

On motion of Mr. Mason,

The bill [No. 153] to give the Fayette circuit court jurisdiction in a certain case, was taken up, read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Hannaman,

The previous orders of the day being dispensed with, the committee of the whole, to which was referred the bill [No. 65] to authorize the appointment of a special county agent, was discharged from the consideration thereof.

Ordered, That said bill be engrossed and read the third time to-morrow.

On motion of Mr. Kilgore,

The rules of the House being dispensed with, the committee of the whole to which was referred the bill [No. 196] regulating the jurisdiction and duties of justices of the peace in Delaware county, was discharged from the consideration thereof; when,

On his further motion,

Said bill was considered as engrossed and read the third time.

On motion of Mr. Johnston,

Said bill was laid on the table.

Mr. Brown from the select committee, to which was referred a petition on that subject, having obtained leave, reported

A bill [No. 237] to change the name of Middletown in the county of Tippecanoe to West Point;

Which was three times read and passed (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Bills on their second reading were next considered:

The bill [No. 224] to incorporate the town of New York in Switzerland county, was read the second time.

Ordered, That it be engrossed and read the third time to-morrow.

And the House adjourned.

2 o'clock, P. M.

The House met.

Mr. Evans from the committee on canals and internal improvements to which was referred

Bill [No. 211] for the survey of a turnpike road from Mount Vernon in Posey county, to Princeton in Gibson county, having obtained leave, reported said bill back to the House without amendment.

Ordered, That said bill be engrossed and read the third time to-morrow.

Mr. Morris from a select committee, made the following report:

Mr. SPEAKER—

The select committee to which was referred the petition of Anne Johnson, Ben Taylor, Seaton W. Norris, and Benj. Emmison, praying the sale of certain real estate of James Johnson, late of Marion county, deceased, have had the same under consideration and herewith report a bill entitled a bill to authorize the sale of certain real estate of James Johnson, late of Indianapolis, deceased.

Which said bill [No. 238] was twice read, and

On motion,

Considered as engrossed, read the third time and passed (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and that the clerk carry it the Senate and ask their concurrence therein.

Mr. Evans made the following report:

The committee on canals and internal improvements, to whom was referred a petition from sundry citizens of Clark county asking the credit of the state to be given to the Ohio and Indianapolis Rail Road Company, and a resolution of this House on the same subject, have directed me to report a bill in conformity therewith, entitled

A bill [No. 239] extending the credit of the state to the Ohio and Indianapolis Rail Road Company;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Evans from the committee on canals and internal improvements, to which was referred petitions on that subject, having obtained leave, also reported

A bill [No. 240] to authorize the survey of a rail road route from Indianapolis through Logansport to Michigan City; and also,

A bill [No. 241] supplemental to an act entitled an act to provide for a general system of internal improvements, approved Jan. 1836;

Which were severally read the first time and passed to the second reading on to-morrow.

Mr. Huntington from the committee on education, to which was referred the engrossed bill of the Senate,

No. 41—to incorporate the Parke county Seminary, reported the same back to the House without amendment; when

Said bill was read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

And also the bill [No. 78] amendatory of an act relative to county seminaries, app'd. Feb. 4, 1831, without amendment.

Ordered, That it be engrossed and read a third time to-morrow.

Mr. Morris from the committee on the affairs of the town of Indianapolis, made the following report:

Mr. SPEAKER—

The committee on the affairs of the town of Indianapolis to which was referred so much of the message of the Governor as relates to the town of Indianapolis, and the report of the agent of the town of Indianapolis, report a bill entitled a bill to abolish the office of agent of state for the town of Indianapolis, and to provide for the sale of certain lots therein.

Which said bill, [No. 242] was read the first time and passed to the second reading on to-morrow.

Mr. Stapp from the select committee on revision, made the following report:

Mr. SPEAKER—

The committee of revision to which was committed several bills of the House, Nos. 40, 71, 83, 85, 86, 104, 111, 112, 113, 119, 121, 130, 131, 133, 134, 150, 159, 171, 172, 173, 177, 184, 185, 186, 197, 209, and 213, as also bills of the Senate, Nos. 34 and 58, have had the same under consideration and have instructed me to incorporate the substance of said bills in one bill and report the same to the House, which I now do under the title of "a bill relating to state roads," and have directed me to report the bills described by the above numbers with a

recommendation that they be indefinitely postponed, and further to ask to have the committee of revision dissolved;

Which said bill [No. 243] relating to state roads,

Was twice read by the title, (the rules of the House having first been dispensed with), and

On motion,

Committed to the committee on roads.

The original bills were laid on the table.

Mr. Hubbard from the joint committee on enrolled bills reported that they have compared the enrolled with the engrossed bills that originated in the House of Representatives with the following titles, to wit:

No. 28—A joint resolution and memorial for the relief of Margaret Nation and others;

No. 24—An act establishing as a state road the county road leading from Livonia to George Beck's;

No. 108—An act to incorporate the Indiana Baptist Education Society and the Indiana Baptist Manual Labor Institute;

No. 70—An act to incorporate the town of Vevay;

No. 66—An act to provide for the election of a justice of the peace in the town of Brownsville;

No. 64—An act to change certain alleys in the town of Livonia;

No. 124—An act to establish a state road from a point in Clay county to the Wabash river near the mouth of Honey creek in Vigo county, and thence to the state line;

And do find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, that the clerk carry them to the Senate for the signature of their President.

On motion of Mr. Huntington,

The House then resolved itself into the committee of the whole, to which was committed the bill (No. 216) to provide for an equitable mode of levying the taxes of this state;

And after sometime spent therein,

The Speaker resumed the chair, when

Mr. Ray reported progress, and asked leave to sit again;

Which leave was granted by the House.

Mr. Evans presented the remonstrance of John Ward and others, citizens of Fountain county, against a petition praying the relocation of a part of the Covington and Strawtown state road;

Which,

On motion of Mr. Evans,

Was referred to the committee on roads.

A Message from the Governor, by Mr. Ketcham, his private Secretary:

Mr. SPEAKER—

I am directed by his excellency, the Governor, to inform the House of

Representatives that on the 26th Jan. 1836, he approved the acts entitled as follows:

No. 27—An act to repeal the act to incorporate the Crawfordsville Seminary:

No. 34—An act concerning the reserved township of seminary lands in Monroe county;

No. 36—An act to locate a state road from Portage Point to the state line;

No. 35—An act to locate a state road from South Bend in the direction of Bertrand;

No. 37—An act to locate a state road from South Bend to the north line of the state;

No. 38—An act to locate a state road from the north line of the state in the direction of Chicago;

No. 25—An act declaring a certain road therein named, a state road;

No. 23—An act to locate a state road from Delphi in Carroll county to Dayton in Tippecanoe county;

No. 22—An act to amend an act entitled an act for the appointment of persons to receive deeds for lots or lands given or purchased for the use of schools, meeting houses, and masonic lodges.

No. 97—An act to change the name of the town of Greensboro in Franklin county, to that of Blooming Grove;

No. 81—amendatory of an act entitled an act establishing a State Bank, approved Jan. 28, 1834;

No. 50—An act declaring the county road from Owensville to the mouth of the Patoka in Gibson county, a state road;

No. 41—An act to amend the act entitled an act to incorporate the Lexington Steam Mill Company, approved February 7, 1835;

No. 61—An act authorizing the sale of the residue of one of the reserved sections of land in the reserved township of land in Monroe county;

No. 94—an act to repeal in part the act entitled an act for assessing and collecting the revenue, approved Feb. 10, 1831, and for other purposes;

No. 98—An act to change the name of the town of Somerset;

No. 106—An act to amend an act entitled an act to incorporate the town of Leavenworth, approved Feb. 7th 1835;

No. 76—An act to incorporate the Evansville and Vincennes rail road company.

And the House adjourned.

WEDNESDAY, JANUARY 27, 1836.

The House met.

Mr. Brown presented the petition of William H. Moody, and others, citizens of Laporte county, in relation to the state road from Laporte to Michigan City, which was referred to a select committee of Messrs. Brown, Davis, and Liston, without reading.

Mr. Macy presented the petition of sundry citizens of the town of Knightstown, praying an act for the incorporation of said town, which,

On his motion, was referred to the judiciary committee without reading.

A Message from the Senate by Mr. Morrison their principal Secretary.

Mr. SPEAKER—

The Senate has adopted the following resolution:

Resolved, That the Senate will, the House of Representatives concurring herein, adjourn *sine die*, on Monday the 8th of February next, and that the House of Representatives be informed thereof, and a similar resolution on their part requested.

Mr. moved to lay said resolution on the table,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Brown, Chamberlain, Craig of M., Curtis, Cushman, Dunning, Eggleston, Evans, Harris, Howard, Hubbard, Johnston, Jones, Macy, Mason, McBean, Murray, Ray, Steele, Strain, Vandever, Walker of S., Whitman, Willett, and Wilson—27.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Bryan, Buell, Carnan, Carr, Chambers, Chiles, Clark of Washington, Cole, Craig of P., Davis, Edmonston, Edwards, Gregg, Hannaman, Harrow, Howell, Huckleberry, Jackson, Kilgore, Lee of B., Lee of M. and C., Liston, McCarty, Miller, Morris, Myers, Nave, Phelps, Posey, Ristine, Smith, Stapp, Templeton, Thompson of A., Thompson of L., Vawter, Walker of D., Watt, Zenor and Smith, Speaker—42.

And so said resolution was not laid on the table.

And the question then recurring on the question to reciprocate said resolution,

It was decided in the affirmative.

The following message was also received from the Senate, by Mr. Morrison their principal secretary:

MR. SPEAKER—

The Senate has passed a bill from the House of Representatives, entitled as follows, viz:

No. 74—An act to incorporate the Laporte Canal and Rail Road Company, with an amendment, in which the concurrence of the House of Representatives is requested.

The amendment of the Senate to said bill, was concurred in by the House.

Ordered, That the clerk inform the Senate thereof.

The following message was also received from the Senate, by Mr. Morrison, their principal secretary:

MR. SPEAKER—

The Senate has passed, without amendment, bills &c. from the House of Representatives, entitled as follows, viz:

No. 63—An act to incorporate the town of Indianapolis;

No. 190—An act to amend an act entitled "an act incorporating congressional townships and providing for public schools therein, approved February 2d, 1833;

No. 191—A joint resolution authorizing the publishing of an act of Congress therein named;

No. 206—to authorize the holding of an additional term of the Floyd circuit court;

No. 238—An act to authorize the sale of certain real estate of James Johnson, late of Indianapolis, deceased. Also

A bill from the House of Representatives, entitled as follows, viz:

No. 122—An act to incorporate the Lafayette and Danville Rail Road company, with amendments; and

An engrossed bill of the Senate, entitled as follows, viz:

No. 75—An act to amend an act entitled, an act for the promotion of schools in, and for the sale of lands belonging to the Vincennes donation tract, approved February 7, 1835;

In which last named bill of the Senate, and the amendments made by the Senate to the bill of the House No. 122, the concurrence of the House of Representatives is requested.

The Senate has receded from its amendment to the engrossed bill from the House of Representatives No. 91, entitled "an act to organize the county of Porter, and for other purposes.

The amendments of the Senate to the bill [No. 122,] to incorporate the Lafayette and Danville rail road company, was read and concurred in.

The engrossed bill of the Senate [No. 75] to amend an act entitled "an act for the promotion of schools in, and for the sale of lands belonging to the Vincennes donation tract, approved February 7, 1835,

Was read the first time and passed to a second reading on to-morrow.

Mr. Howell presented the petition of sundry citizens of the county of Spencer, praying the repeal of an act of the General Assembly, passed

at the session of 1834 and 5, for the location of a state road in said county, and a remonstrance of sundry citizens of said county, against said petition; which,

On motion of Mr. Howell, were referred to the committee on roads.

Mr. Howell also presented the petition of H. C. Patridge and others, praying a state road from Rockport to Washington;

Which was referred to a select committee of Messrs. Howell, Jones and Edmonston.

Mr. Phelps presented the petition of John Flinn and others, citizens of Crawford county, praying that no change may be made in the mode of doing county business in said county.

Mr. Eggleston, from the judiciary committee to which was referred the bill of of the Senate

No. 60—to amend the charter and define the powers and duties of the president and trustees of the town of Evansville, reported the same back to the House without amendment.

Ordered, That it be read the third time to-morrow.

Mr. Liston from the same committee, to which was referred the bill

No. 189—to incorporate the South Bend manufacturing company, reported the same back to the House without amendment;

When said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Stapp from the judiciary committee made the following report:

Mr. SPEAKER—

The committee on the judiciary to which was committed bills from the Senate No. 53 entitled an act relative to county orders in Parke county, and 59 entitled an act, to incorporate the Rome Savings' Institution, have had the same under consideration and have instructed me to report the same to the House, the first without amendment and the second with an amendment, to which amendment the concurrence of the House is requested.

The engrossed bill of the Senate [No. 53] entitled an act relative to county orders in Parke county, was ordered to the third reading on to-morrow.

The amendment of the committee to the bill of the Senate [No. 59] entitled an act to incorporate the Rome Savings' Institution was read and concurred in.

Ordered, That said bill be read the third time to-morrow.

Mr. Carnan from the committee on the judiciary to which was referred the bill [No. 231] reported the same to the House with one amendment;

Which was read and concurred in; when,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Brown from the committee on the judiciary to which was referred the bill No. 203 reported the same to the House with an amendment;

Which was read and concurred in, when,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Brown from the same committee to which was referred the bill No. 233—to change the time of holding circuit courts in the 5th judicial circuit, reported the same back to the House without amendment; when,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Nave from the same committee, made the following report:

MR. SPEAKER—

The judiciary committee to whom was referred a resolution No. 15 requesting an inquiry into the expediency of amending the law exempting property from execution, as that hereafter whenever any execution shall issue from any judgment in this state, and if the execution debtor shall claim any property exempt from execution, he shall make oath to the same and file a schedule setting forth the property so by him claimed as aforesaid, before the officer issuing said execution if required by the officer so to do, with leave to report by bill or otherwise, have had the same under consideration and have directed me to report a bill

No. 244—to amend an act entitled an act to amend an act entitled an act to subject real and personal estate to execution, approved Feb. 1st, 1834;

Which was twice read by consent; when,

On motion of Mr. Posey,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Armstrong made the following report:

MR. SPEAKER—

The committee on the affairs of the State Prison, report, that from an examination of the reports of the superintendent, they find there has been confined in the prison the last year, 77 convicts—of whom

15 were from 16 to 20 years of age,

35 “ “ 20 to 30 “

14	"	"	30 to 40	"
11	"	"	40 to 50	"
1	of		52	"
1	"		56	"

13 are natives of Kentucky, 10 of Virginia, 10 of Pennsylvania, 8 of Tennessee, 7 of Ohio, 6 of Indiana, 5 of New York, 3 of North Carolina, 3 of Maryland, 1 of Rhode Island, 1 of Massachusetts, 1 of Georgia, 1 of New Jersey, 1 of Wales, 4 of Ireland, 2 of Canada, 1 of England. 45 convicted of larceny, 6 of burglary, 5 of assault and battery with intent to kill, 5 of forgery, 4 of manslaughter, 2 of murder, 2 of perjury, 2 of robbery, 2 of passing counterfeit money, 1 of altering current money, 1 of assault and battery with intent of robbery, 1 of stabbing, and 1 of rape.

From the statement of the superintendent it appears that the receipts of the institution from the sale of manufactured articles for the year ending 1st December 1835, were \$10,799 90 $\frac{3}{4}$

Amount of expenses for same period, including salaries of keepers and hired hands, 5,307 76 $\frac{3}{4}$

Leaving a nett income to the superintendent after paying all expenses of \$5,492 14

The committee have had under their consideration that part of the message of the Governor referred to them by a resolution of this House, which suggests the propriety of selling the prison at Jeffersonville and the erection of a more extensive one at the seat of government or some other place, and are unanimously of opinion that it would be inexpedient to change the location of the prison; that the place of its present location is probably as good as any one which could now be selected for the interest of the state.

Your committee ask to be discharged from the further consideration of that subject.

Your committee have had under consideration other matters referred to in the message of the Governor, and have directed me to report

A bill to amend an act entitled an act for the regulation of the state prison, approved Feb. 10, 1831;

Which said bill [No. 245] was read three times and passed (the rules of the house having first been dispensed with.)

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Vawter, from the committee on roads, made the following reports:

MR. SPEAKER—

The committee on roads to which was referred the petition of H. B. Milroy and others, praying an appropriation of money for the purpose of opening a state road through the Indian country, leading from

Delphi to Muncietown, have had the same under consideration, and the committee have directed me to report that legislation on that subject is inexpedient at this time.

Mr. SPEAKER—

The committee on roads to which was referred the petition of John Fox and others, praying that commissioners be appointed to locate a state road commencing at the mouth of Log-lick creek, thence to Centre Square, thence to the Versailles state road; also a remonstrance against the location of the proposed road, have according to order had the same under consideration, and find the number remonstrating larger in number by 30 than the number petitioning for said road. The committee therefore have directed me to report that legislation on the subject of said petition is inexpedient.

Mr. SPEAKER—

The committee on roads to which was referred the petition of John F. Cotton, praying an appropriation of five thousand dollars on a state road in Switzerland county, have according to order had the same under consideration, and the committee have directed me to report that legislation on that subject, at this time, is inexpedient.

Mr. SPEAKER—

The committee on roads to which was referred the petition of Jonathan Shearmon and others, praying that the law be so amended as to subject supervisors of public roads and highways to indictment for neglect in keeping their respective roads in repair, have according to order had the same under consideration, and the committee have directed me to report that the prayers of the petitioners are fully provided for in a bill of the two Houses of this General Assembly and ask to be discharged from the further consideration of said petition;

Which said reports were severally read and concurred in.

Mr. Vawter, from the same committee, to which was referred

The bill (No. 228) to appropriate so much of the 3 per cent. fund as is now due to Greene county;

Reported the same to the House without amendment.

Ordered, That said bill be engrossed and read the third time tomorrow.

Mr. Vawter, from the same committee, to which was referred a petition on that subject, reported

A bill (No. 246) vacating so much of the Greensburgh and Charlestown state road as lies between the widow Staggs's and the Jennings and Decatur county lines;

Which was twice read, (the rules of the House having first been dispensed with,) and,

On motion,

Committed to the committee on roads with instructions to incorporate the same in the bill concerning state roads.

Mr. Hannaman, from a select committee, made the following report:

Mr. SPEAKER—

The select committee to which was referred the petition of John S. Forsyth and 40 others, praying the relocation of that part of the Newcastle and Crawfordsville state road which lies between Lebanon and Henry Coonts'; and also the remonstrance of Westley Smith and 62 others, against the same, have had the same under consideration, and have directed me to report that legislation on that subject is inexpedient, and ask to be discharged;

Which was read and concurred in.

Mr. Jackson, from the joint committee on enrolled bills, reported that they had compared the enrolled with the engrossed bills, which originated in the House of Representatives of the following titles, to wit:

No. 93—An act to amend the act entitled an act to incorporate the Michigan City and Kankakee rail road company;

No. 118—An act to organize the county of Jay;

No. 147—An act to vacate a part of a certain street in the town of Washington in Wayne county Indiana; and

No. 174—An act for the appointment of commissioners to review and extend a state road in the county of Switzerland;

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Ristine, from the select committee to which was referred the bill (No. 101) reported the same back to the House with an amendment, in which the House refused to concur.

Mr. Moore moved to indefinitely postpone said bill,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Boone, Bryan, Carr, Chiles, Clark of Washington, Cole, Craig of M., Craig of P., Cushman, Eggleston, Harrow, Harris, Howard, Howell, Huntington, Jackson, Lee of M., and C., Liston, McBean, Miller, Moore, Murray, Myers, Nave, Ristine, Smith, Strain Templeton, Vandever, Walker of D., Watt, Wilson, and Zenor—33.

And those who voted in the negative are,

Messrs. Bardwell, Bennett, Brown, Buell, Carnan, Chamberlain, Chambers, Curtis, Davis, Dunning, Edmonston, Edwards, Evans, Gregg, Hannaman, Hubbard, Johnston, Kilgore, Lee of B., Macey, Mason,

McCarty, Morris, Phelps, Posey, Ray, Stapp, Steele, Thompson of A., Thompson of L., Vawter, Walker, of S., Whitman, Willett, & Smith, Speaker—35.

And so said bill was not indefinitely postponed.

And the question was put,

Shall said bill pass?

And decided in the negative.

Mr. Phelps, from a select committee, made the following report:

Mr. SPEAKER—

The select committee to which was referred a bill of the Senate No. 13, and a bill of the House of Representatives No. 68, have directed me to report them to the House without amendment, and recommend that the same be indefinitely postponed;

When the question was had thereon, and decided in the affirmative.

Mr. Howell made the following report:

The select committee to which was referred a bill of the Senate No. 22, and a bill of the House No. 117, to amend an act entitled "an act regulating the taking up of animals going astray, and water craft and other articles of value adrift, report the same with the following amendment: "And the 1st section of the bill of the House to the bill of the Senate as section 4.

And recommend the indefinite postponement of the balance of the bill of the House;

Which said report was concurred in.

The said bill of the House [No. 117] was indefinitely postponed, and

The said bill of the Senate [No. 22] as amended,

Was read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Morris, from the select committee to which was referred a petition on that subject, reported

A bill [No. 247] for the location of certain state roads in Marion, Boone, Hamilton, and Hancock counties;

Which was twice read (the rules of the House having first been dispensed with) and

On motion,

Referred to the committee on roads.

On motion of Mr. Evans,

Resolved, That the enrolling clerk of this House have leave to employ such assistance as he may find necessary in order to facilitate the discharge of the duties of his office.

On motion of Mr. Willett,

Resolved, That the committee on public buildings be directed to inquire into the propriety of allowing a compensation to the commissioners appointed to superintend the erection of a State House, and pro-

vide by law for paying the same out of the Indianapolis fund, or otherwise.

On motion of Mr. Posey,

Resolved, That there be a select committee appointed to inquire into the expediency of so amending the law regulating the duties of overseers of the poor, in the several counties in this State, as to authorize the boards doing county business, to allow to each of said overseers, one dollar for each day they are necessarily employed in the discharge of the duties of their offices, to be paid out of any money that may be in the county treasury, not otherwise appropriated, upon the order of said board.

Ordered, That Messrs, Posey, McCarty, and Eggleston, be that committee.

On motion of Mr. Brown,

Resolved, That the committee on claims be instructed to inquire into the propriety of allowing to Augustus Wylie, collector of the State revenue in the county of Tippecanoe, for the years 1833 and 1834, the sum of twenty-one dollars and sixty-four cents; the said amount having been by him paid into the state treasury by mistake, when he should have been entitled to a credit for that sum on the delinquent list, with leave to report by resolution or otherwise.

Mr. Strain moved the adoption of the following resolution:

Resolved, That for the purpose of Expediting business, this House will meet at 6 o'clock, on every Monday, Wednesday, and Friday evening;

Which was negatived.

On motion of Mr. Walker of S.,

Resolved, That the judiciary committee be instructed to inquire into the expediency of affording by law, some further relief, for replevy bail, when the principal is about to abscond or dispose of his property.

On motion of Mr. Lee of M. and C.,

Resolved, That the judiciary committee be instructed to inquire into the expediency of extending prison bounds of debtors.

Mr. Liston presented

A bill [No. 248] supplemental to an act passed during the present session of the General Assembly, to provide for the organization of Porter county, and for other purposes;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That the Clerk inform the Senate thereof and ask their concurrence therein.

Mr. Dunning presented

A bill [No. 249] to incorporate the Bloomington Saving Institution;

Which was twice read (the rules of the House having first been dispensed with,) and,

On motion, referred to the judiciary committee.

Mr. Ray presented

A bill [No. 250] to amend an act to incorporate the Wayne and Union Turnpike Company, approved February 7th, 1835;

Which was three times read (the rules of the House having first been dispensed with,) and

On motion referred to the judiciary committee.

Mr. Kilgore presented

A bill [No. 251] to amend an act entitled "an act to prevent the sale of ardent spirits to the Indians," approved, February 3, 1832;

Which was read three times and passed (the rules of the House having first been dispensed with)

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Johnston from the joint committee on enrolled bills reported, that they have compared the enrolled with the engrossed bill, which originated in the House of Representatives of the following title, to wit:

No. 91—An act to organize the county of Porter, and for other purposes,

And find the same truly enrolled;

Whereupon, the Speaker signed the same.

Ordered, That the clerk carry it to the Senate for the signature of their president.

Mr. Eggleston, from the judiciary committee, to which was referred the bill No. 250, to amend an act to incorporate the Wayne and Union Turnpike Company, approved February 7th, 1836, (on leave being granted) reported said bill back to the House without amendment, when

Said bill passed;

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

The bill [No. 225] to abolish public executions,

Was read the second time, when,

Mr. Clark of Washington moved to indefinitely postpone the further consideration thereof.

Mr. Moore moved to lay it on the table, which motion was lost.

And the question then recurring on the motion to indefinitely postpone,

And the ayes and nays being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Carr, Chambers, Clark of Washington, Cole, Craig of M., Craig of P., Cushman, Davis, Dunning, Edmonston, Edwards, Eggleston, Harrow, Harris, Howard, Howell, Jackson, Jones, Lee of B., Lee of M. and C., Mason, McCarty, Miller, Moore, Murray, Myers, Phelps, Posey, Ristine, Smith, Steele, Strain, Templeton, Vandever, Vawter, Walker of D., Watt, and Whitman—42.

And those who voted in the negative are,

Messrs. Brown, Buell, Carnan, Chamberlain, Chiles, Curtis, Evans,

Hubbard, Huckleberry, Huntington, Johnston, Kilgore, Liston, Macey, McBean, Morris, Nave, Ray, Stapp, Thompson of A., Thompson of L., Walker of S., Willett, Wilson, Zenor, and Smith, Speaker—25.

And so said bill was indefinitely postponed.

And the House adjourned.

2 o'clock, P. M.

The House met.

A message from the Governor by Mr. Ketcham his private Secretary:

MR. SPEAKER—

I am directed by his excellency the Governor to inform the House of Representatives, that on 27th Jan. 1836, he approved the acts entitled as follows:

No. 53—An act to establish a state road therein named;

No. 54—An act to locate a state road from New Albany in Floyd county, to Mauksport in Harrison county;

No. 55—An act for the establishment of a certain state road therein named;

No. 47—An act to locate a state road from Booneville to Jasper.

No. 44—An act to establish a state road therein named;

No. 79—An act to amend an act entitled an act to establish a state road from Bedford in Lawrence county, via Washington in Daviess county to the Rapids of the Wabash river, at or near the mouth of White river, approved, January 20, 1834;

No. 43—An act to change the time of holding the probate courts in Daviess county;

No. 39—An act to vacate a part of the Indianapolis, Centreville, and Richmond state road in Wayne county;

No. 31—An act to legalize the sale of the west half of the public square in the town of New Castle;

No. 46—An act to legalize the proceedings of the board of commissioners of the county of Lawrence;

No. 58—An act respecting the borough of Vincennes;

No. 123—An act to provide for a general system of internal improvements;

Mr. Evans from the committee on canals and internal improvements, made the following report:

The committee on canals and internal improvements, to whom has been referred sundry petitions, memorials, remonstrances, resolutions, and so much of the message of his excellency the Governor, as relates to internal improvements, have directed me to report, that on all subjects referred to your committee, except what has been embraced

ced in the bills heretofore reported and the reference on the subject of the Charlestown Rail Road, your committee deem it inexpedient at this time to legislate.

Your committee have appointed a sub-committee to draft a report on the subject of the Charlestown Rail Road.

Your committee now report a bill supplemental to the act passed the present session, entitled an act to provide for a general system of internal improvement;

Which said bill [No. 252] was twice read (the rules of the House having first been dispensed with.)

Mr. Smith moved to strike out the first section thereof;

And on that question,

The ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Boone, Bryan, Buell, Carr, Clark of Washington, Cole, Curtis, Cushman, Dunning, Edmonston, Edwards, Eggleston, Howard, Howell, Huntington, Jackson, Miller, Moore, Murray, Nave, Phelps, Posey, Smith, Steele, Willett, Wilson, and Zenor—28.

And those who voted in the negative are,

Messrs. Bardwell, Brown, Carnan, Chamberlain, Chambers, Chiles, Craig of M., Craig of P., Davis, Evans, Gregg, Harrow, Harris, Hubbard, Johnston, Kilgore, Lee of Bartholomew, Lee of M. and C., Liston, Macey, Mason, McBean, McCarty, Morris, Myers, Ray, Ristine, Stapp, Strain, Templeton, Thompson of Allen, Thompson of Lawrence, Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, and Smith Speaker—39.

And so said motion was decided in the negative.

Mr. Willett moved to insert the word "seven" after "six" where it occurs in the first section,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Moore and Willett—2.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Brown, Bryan, Buell, Carnan, Carr, Chamberlain, Chambers, Chiles, Clark of Washington, Cole, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Edmonston, Edwards, Eggleston, Evans, Gregg, Harrow, Harris, Howard, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Macey, Mason, McBean, McCarty, Miller, Morris, Murray, Myers, Nave, Phelps, Posey, Ray, Ristine, Smith, Stapp, Steele, Strain, Templeton, Thomp-

son of A., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, Wilson, Zenor, and Smith Speaker—57.

And so said amendment was lost.

On motion of Mr. Davis,

The following was added to said bill as an additional section, viz:

SEC. It shall be the duty of the Board of internal improvement to make out a list of all bids received for contracts in any and all works of internal improvements in this state and report the same to the General Assembly annually.

On motion of Mr. Kilgore,

The following was also added as an additional section to said bill:

SEC. In case any vacancy shall occur in the Board of Internal improvement by death, resignation, or refusal to serve, or otherwise, the Governor shall have power to fill such vacancy or vacancies, by temporary appointments, until the first meeting of the legislature after such vacancy or vacancies shall occur.

Mr. Smith then moved to strike out the 12th section,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Boone, Buell, Carr, Chamberlain, Chiles, Clark of Washington, Cushman, Edmonston, Edwards, Eggleston, Howard, Howell, Huckleberry, Huntington, Moore, Murray, Nave, Phelps, Posey, Smith, Steele, Willett, Wilson, and Zenor—26.

And those who voted in the negative are,

Messrs. Bennett, Brown, Bryan, Carnan, Chambers, Craig of M., Craig of P., Curtis, Davis, Dunning, Evans, Gregg, Harrow, Harris, Hubbard, Jackson, Johnston, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Macey, Mason, McBean, McCarty, Miller, Morris, Myers, Ray, Ristine, Stapp, Strain, Thompson of A., Thompson of L., Vandever, Vawter, Walker of S., Watt, Whitman, and Smith, Speaker—42.

And so said motion did not prevail.

Mr. Hubbard moved to amend said bill as follows;

SEC. That no part of the first clause of the 5th section of the act to which this is a supplement, relative to the White Water Canal and the connection thereof with the White river Canal by rail road shall ever be so construed as to make it the duty of the board of internal improvement to commence the said road, mentioned in said clause, at or near the National road. provided said White Water canal shall be extended north of the National road, then and in that case, it shall be the duty of said board to commence said road at or as near the termination of said canal as practicable;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Buell, Carr, Chamberlain, Clark of Washington, Cole, Craig of M., Curtis, Edmonston, Edwards, Eggleston, Evans, Howard, Howell, Hubbard, Huckleberry, Huntington, Johnston, Kilgore, Lee of B., Mason, McCarty, Morris, Myers, Nave, Phelps, Ray, Stapp, Thompson of A., Thompson of L., Vawter, Walker of D., Willett, Wilson, Zenor, and Smith, Speaker—36.

And those who voted in the negative are,

Messrs. Bardwell, Boone, Brown, Bryan, Carnan, Chambers, Chiles, Craig of P., Cushman, Davis, Dunning, Gregg, Harrow, Harris, Lee of M. and C., Liston, Macey, Moore, Murray, Posey, Ristine, Smith, Strain, Templeton, Vandever, Watt, and Whitman—27.

And so said amendment was adopted.

Mr. Willett then moved to amend said bill by adding as an additional section, the following:

Sec. That the Governor of this state, the President of the Senate and Speaker of the House of Representatives, shall at all times be ex-officio members of the Board of Canal Fund Commissioners, and have a vote upon all questions, but not be compelled to travel to do the business of effecting, loaning, or rendering accounts, or making reports to the legislature.

Mr. Huntington moved to strike out Speaker of the House of Representatives;

Which motion prevailed.

On motion of Mr. Thompson of L.,

Said proposed amendment was amended as followings, to wit:

And they shall receive the same allowance for their services as is provided for the members of the board of internal improvement in the bill to which this is a supplement.

And the question then recurring on the proposed amendment, as amended, it was put,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Brown, Buell, Chamberlain, Cole, Dunning, Edmonston, Evans, Howard, Huntington, Jackson, Lee of B., Liston, Macey, Mason, Moore, Murray, Phelps, Posey, Ristine, Smith, Strain, Templeton, Thompson of L., Vandever, Walker of S., Whitman, Willett, Wilson, and Zenor—31.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Bryan, Carnan, Carr, Chambers, Clark of W., Craig of M., Craig of P., Curtis, Davis, Edwards, Eggleston, Gregg, Harrow, Harris, Howell, Hubbard, Huckleberry, Johnston, Jones, Kilgore, Lee of M. & C., McCarty, Miller, Morris, Myers, Nave,

Ray, Stapp, Steele, Thompson of A., Vawter, Walker of D., Watt, and Smith, Speaker—36.

And so said amendment was not adopted.

And the House adjourned.

THURSDAY, JANUARY 28, 1836.

The House met.

On motion of Mr. Evans,

The previous orders of day, which precede the bill (No. 216) to provide for an equitable mode of levying the taxes of this state, were for the present postponed, and the House again resolved itself into the committee of the whole to which said bill was referred;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Ray reported progress, and asked leave to sit again;

Which leave was granted by the House.

Mr. Hubbard from the joint committee on enrolled bills, reported that they have compared the engrossed with the enrolled bills that originated in the Senate of the following titles, to wit:

No. 49—An act to incorporate the President and Trustees of the Rush county seminary;

No. 44—An act to provide for a special session of the Jefferson circuit court;

And do find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their President.

And the House adjourned.

2 o'clock, P. M.

The House met.

Leave of absence was granted to the committee on the canal fund.

On motion of Mr. Evans,

The previous orders of the day, were for the present postponed, and the House again resolved itself into the committee of the whole on the bill (No. 216) to provide for an equitable mode of levying the taxes of this state; and after some time spent therein,

The Speaker resumed the chair, and

Mr. Smith reported the bill to the House with sundry amendments, in which he asked the concurrence of the House;
And before the question was had thereon,
The House adjourned.

FRIDAY, JANUARY 29, 1836.

On motion of Mr. Vandever, the previous orders of the day were postponed, and the House resumed the consideration of the amendments of the committee of the whole to the bill [No. 216] to provide for an equitable mode of levying the taxes of this State pending when the House adjourned on yesterday evening;

When, said amendments were severally read and concurred in, with the exception of the amendment by striking out the 14th Section; in which the House refused to concur.

Mr. Evans then moved to amend the 26th section of said bill, by striking out thereof the word "five," and insert "six;" when a division of the question was called for, and was thereupon put on the first branch thereof, to wit: on striking out;

And the ayes and noes being requested thereon by two members;

Those who voted in the affirmative are,

Messrs. Bryan, Buell, Carnan, Clark of Washington, Craig of M., Craig of P., Curtis, Davis, Edwards, Evans, Graham, Gregg, Harrow, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of M. and C., Liston, Macey, McBean, McCarty, Morris, Ray, Ristine, Stapp, Templeton, Thompson of A., Vawter, Whitman, Willett, and Smith Speaker—33.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Boone, Carr, Chamberlain, Chambers, Chiles, Cole, Cushman, Dunning, Edmonston, Eggleston, Harris, Howard, Howell, Huckleberry, Jackson, Lee of B., Mason, Miller, Moore, Murray, Nave, Phelps, Posey, Smith, Steele, Strain, Thompson of J., Thompson of L., Vandever, Walker of D., Walker of S., Watt, Wilson, and Zenor—36

And so said motion was decided in the negative.

Mr. Bryan moved to amend the 26th section of said bill, by striking out thereof the word "fifty," and insert "thirty-seven and a half."

Mr. Kilgore moved to amend said motion, by inserting "twenty-five" in lieu of "thirty-seven and a half; when,

A division of the question was called for, and was thereupon put on the first branch thereof, to wit: on striking out "fifty,"

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Brown, Bryan, Carr, Chamberlain, Chambers, Chiles, Clark of Washington, Cole, Craig of M., Davis, Dunning, Edmonston, Evans, Gregg, Harris, Howard, Huckleberry, Huntington, Kilgore, Lee of B., Murray, Nave, Smith, Stapp, Steele, Strain, Thompson of A., Vandever, and Whitman—30.

And those who voted in the negative, are,

Messrs. Bardwell, Bennett, Boone, Buell, Carnan, Craig of P., Curtis, Cushman, Edwards, Eggleston, Graham, Harrow, Howell, Hubbard, Jackson, Johnston, Jones, Lee of M. and C., Liston, Macey, McBean, McCarty, Miller, Moore, Morris, Phelps, Posey, Ray, Ristine, Templeton, Thompson of J., Thompson of L., Vawter, Walker of D., Walker of S., Watt, Willett, Wilson, Zenor, and Smith, Speaker—41.

And so said motion was decided in the negative.

Mr. Vandever, moved to amend the said bill by striking out the 27th section thereof;

And the ayes and noes being required thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Chambers, Chiles, Clark of Washington, Collins, Craig of M., Dunning, Edwards, Eggleston, Harrow, Harris, Hubbard, Lee of B., Lee of M. and C., Murray, Nave, Strain, Vandever, Wilson and Zenor—22.

And those who voted in the negative are.

Messrs. Armstrong, Bennett, Brown, Bryan, Buell, Carnan, Carr, Chamberlain, Cole, Cushman, Davis, Edmonston, Evans, Graham, Gregg, Howard, Howell, Huckleberry, Huntington, Jackson, Johnston, Jones, Kilgore, Liston, Macey, Mason, McBean, McCarty, Miller, Moore, Morris, Phelps, Posey, Ray, Ristine, Smith, Stapp, Steele, Templeton, Thompson of A., Thompson of J., Thompson of L., Vawter, Walker of D., Walker of S., Watt, Whitman, Willett and Smith, Speaker—49.

And so said section was not stricken out.

Mr. Kilgore moved to amend said bill, by striking out the first section after the enacting clause, and insert in lieu thereof, the following:

“That all lands, town lots, and the value over and above two hundred dollars of all buildings erected thereon or affixed thereto, together with all other substantial improvements which is the property of any individual or individuals, body corporate or politic; all horses over the age of three years old; all mules and asses over the age of two years old; all neat cattle of the age of two years and upwards, except milch cows, not to exceed two to each family; all hogs, except one hundred dollars worth to each family; all carts, wagons, and two and four wheel carriages; all brass and wooden clocks, and gold, silver, and composi-

tion watches; all sideboards, sofas, and secretaries; all musical instruments over the value of five dollars; and gold and silver ware; the law and medical libraries of all practicing lawyers and physicians; and all capital employed in tanneries, distilleries, breweries; Iron, brass, and copper foundries; and all capital employed in steam, canal, and keel boats, and in the vending of spiritous liquors; all carding machines and machinery employed in any kind of manufacture whatever; all moneys loaned at interest on simple contract, bond, mortgage, or otherwise; the capital of all merchants and exchange brokers employed in this state, all capital in public stocks, or other stocks, of monied or other corporations, shall be, and the same are hereby declared to be subject to taxation, with the exceptions hereinafter specified, to be levied and collected agreeably to law.

A division of the question being called for,

It was thereupon put on the first branch thereof, to-wit:

On striking out,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Chiles, Harris, Kilgore, Ray, Stapp, and Smith, Speaker—6.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Brown, Bryan, Buell, Carnan, Carr, Chamberlain, Chambers, Clark of Washington, Cole, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Edmonston, Edwards, Eggleston, Evans, Graham, Gregg, Harrow, Howard, Howell, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Jones, Lee of B., Lee of M. and C., Liston, Macey, Mason, McBean, McCarty, Miller, Moore, Morris, Murray, Nave, Phelps, Posey, Ristine, Smith, Steele, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, Willett, Wilson, and Zenor—66.

And so said section was not stricken out.

On motion of Mr. Craig of M.,

Said bill was amended by adding an additional section thereto.

Mr. McCarty moved further to amend the said bill by adding thereto, as an additional section, to-wit:

SEC. That there shall be and is hereby set apart, an amount equal to one-third part of the state revenue, for the payment of the interest upon any loans hereafter to be made or negotiated by the canal fund commissioners under the provisions of the act to provide for a general system of internal improvements in this state, and for the collection and application of the same, the faith of the state is hereby pledged; and that said sum, set apart as aforesaid, shall not be less in any year du-

ring the time it shall be necessary to set apart revenue for the payment of the interest aforesaid;

And before the question thereon was had,

The previous question was called by Mr. Nave and seconded by a majority of all the members present,

And the question was then put,

Shall the main question be now put?

And decided in the affirmative;

Whereupon,

The main question was then put,

Shall said bill be engrossed for a third reading?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Brown, Buell, Carnan, Carr, Chambers, Chiles, Cole, Collins, Craig of M., Craig of P., Cushman, Davis, Dunning, Edmonston, Eggleston, Evans, Graham, Gregg, Harrow, Howard, Howell, Huntington, Jackson, Jones, Lee of B., Lee of M. and C., McBean, Miller, Moore, Morris, Murray, Myers, Nave, Phelps, Ristine, Smith, Stapp, Steele, Strain, Templeton, Thompson of J., Vandever, Vawter, Walker of D., Walker of S., Whitman, Willett, Wilson, and Zenor—51.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Bryan, Chamberlain, Clark of Washington, Curtis, Edwards, Harris, Hubbard, Huckleberry, Johnston, Kilgore, Liston, Macy, Mason, McCarty, Posey, Ray, Thompson of A., Thompson of L., Watt, and Smith, Speaker—21.

And so said question was decided in the affirmative.

On motion of Mr. Dunning,

Said bill was considered as engrossed and read a third time;

And the question was then put,

Shall said bill pass?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Brown, Buell, Carr, Chambers, Cole, Collins, Craig of M., Craig of P., Cushman, Davis, Dunning, Edmonston, Eggleston, Evans, Graham, Gregg, Harrow, Howard, Howell, Huntington, Jackson, Jones, Lee of B., Lee of M. and C., McBean, Miller, Moore, Morris, Murray, Nave, Phelps, Posey, Ristine, Smith, Stapp, Steele, Strain, Templeton, Thompson of J., Vandever, Vawter, Walker of D., Walker of S., Whitman, Willett, Wilson, and Zenor—49.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Bryan, Carnan, Chamberlain, Chiles, Clark of Washington, Curtis, Edwards, Harris, Hubbard, Huckleberry, Johnston, Kilgore, Liston, Macey, McCarty, Myers, Ray, Thompson of A., Thompson of L., Watt, and Smith, Speaker—24.

And so said bill passed.

Ordered, That it be entitled an act and the clerk carry it to the Senate and ask their concurrence therein.

Mr. Jackson from the joint committee on enrolled bills reported that they have compared the enrolled with the engrossed bills and joint resolution of the following titles, which originated in the House of Representatives:

No. 190—An act to amend an act entitled an act incorporating congressional townships and providing for public schools therein, approved Feb. 2, 1833;

No. 191—A joint resolution authorizing the publishing of an act of Congress therein named;

No. 206—An act to authorize the holding of an additional term of the Floyd circuit court;

No. 238—An act to authorize the sale of certain real estate of James Johnson, late of Indianapolis, deceased.

Also bills and joint resolution which originated in the Senate of the following titles, to-wit:

No. 32—An act to provide for a justice of the peace in Rockford, Jackson county;

No. 42—An act authorizing the inhabitants of township 8, south of range 2 west, to sell their school lands;

No. 48—A joint resolution respecting Blackford's Reports;

No. 33—An act to incorporate the town of Rome in Perry county;

No. 52—An act to establish a state road from Rome in Perry county to Jasper in Dubois county;

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their president.

Mr. Morris presented the petitions of sundry citizens of the county of Marion, praying an act authorizing Nicholas McCarty to build a dam across white river;

Which was referred to a select committee of Messrs. Morris, Kilgore, and Moore.

Mr. Johnston from the joint committee on enrolled bills, reported that they did on the 28th inst., present to his excellency the Governor, for his approval and signature, bills which originated in the House of Representatives, of the following titles, to wit:

No. 44—An act to change certain alleys in the town of Livonia;

No. 28—A joint resolution and memorial for the relief of Margaret Nation and others;

No. 66—An act to provide for the election of a justice of the peace in the town of Brownsville;

No. 174—An act for the appointment of a commissioners to review and extend a state road in the county of Switzerland;

No. 147—An act to vacate part of a certain street in the town of Washington, in Wayne county;

No. 124—An act to establish a state road from a point in Clay county to the Wabash river near the mouth of Honey creek in Vigo county, and thence to the state line;

No. 118—An act to organize the county of Jay;

No. 108—An act to incorporate the Indiana Baptist Education Society and the Indiana Baptist Manual Labor Institute;

No. 93—An act to amend the act to incorporate the Michigan city and Kankakee Rail Road Company;

No. 91—An act to organize the county of Porter, and for other purposes;

No. 70—An act to incorporate the town of Vevay;

No. 24—An act establishing as a state road the county road leading from Livonia to George Beck's;

Also that they have compared the enrolled with the engrossed bills which originated in the House of Representatives of the following titles, to wit:

No. 48—An act to make the Knox county agricultural society a branch of the state agricultural society of Indiana;

No. 89—An act to enable the school commissioners of the several counties of this state to correct the returns of the collectors;

No. 128—An act to amend an act entitled an act to incorporate the St. Joseph's Iron Company;

No. 165—A joint resolution relative to the Marion county Library moneys;

No. 167—A joint resolution relative to the Michigan road lands;

No. 168—A joint resolution for the relief of James Scott;

No. 175—An act to vacate a part of a state road therein named and for other purposes;

No. 176—An act to authorize the location of a state road from the mouth of Eel river in Greene county to Bowlinggreen in Clay county;

No. 178—An act to establish a state road from Scott's ferry in Morgan county, by the way of Hadley's mill in said county, to Belville in Hendricks county;

And do find the same truly enrolled.

Whereupon,

The Speaker signed the last named bills.

Ordered, that the clerk carry them to the Senate for the signature of their President.

On motion,

Mr. Huckleberry was added to the joint committee on enrolled bills.

Mr. Brown, from the judiciary committee, to which was referred

The bill (No. 208) to incorporate the Bedford Insurance Company, reported the same back to the House with amendments;

Which were severally read and concurred in, when,

On motion of Mr. Thompson of L.,

The said bill was considered as engrossed, read a third time, and passed.

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Stapp, from the judiciary committee, to which was referred

The bill (No. 249) to incorporate the Bloomington savings institution, reported the same to the House with amendments;

Which were severally read and concurred in, when,

On motion of Mr. Dunning,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Macey, from the judiciary committee, to which was referred a petition on that subject, reported

A bill (No. 253) for the incorporation of the town of Knightstown;

Which was twice read by the title (the rules of the House having been dispensed with.)

Ordered, That said bill be engrossed and read the third time to-morrow.

On motion,

Mr. Chiles was added to the joint committee on enrolled bills.

Mr. Vawter from the committee on roads made the following report:

Mr. SPEAKER—

The committee on roads to which was committed a bill of the House [No. 243] relating to state roads, report the same back with an amendment of the 37th section; also by additional sections Nos. 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, and 49, and report back without amendment, bills of the House, Nos. 246, 247, 219 and 220;

Which said amendments were severally read and concurred in, and said bill was amended (by consent) by adding several additional sections thereto when,

On motion, said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Vawter, the bills Nos. 246, 247, 219 and 220, were laid on the table.

Mr. Evans (having obtained leave) moved the adoption of the following resolution:

Resolved, That the committee on canals and internal improvements be instructed to inquire what allowance should be made to the Govern-

or for money expended by him in superintending the rail and turnpike roads surveys of last season;

Which was read and adopted,
And the House adjourned.

2 o'clock P. M.

The House met.

A message from the Senate by Mr. Morrison their painciple Secretary :

Mr. SPEAKER—

The Senate has passed bills of the Senate, entitled as follows, viz:

No. 62—An act to incorporate the Clarke County Trading and Manufacturing Company;

No. 65—An act dispensing with certain unnecessary oaths, now required of executors, administrators, and appraisers;

No. 67—An act in relation to the seat of justice of Dearborn county;

No. 73—An act to facilitate the apprehension of fugitives from justice;

No. 87—An act to incorporate the Salem Savings Institution;

No. 90—An act for the relief of John Dicken, and for other purposes;

No. 91—An act to locate a state road from Greencastle in Putnam county *aia* Carthage in said county, to Martinsville in Morgan county;

No. 93—An act to locate a state road in Posey county;

No. 72—An act to incorporate the Madison Hotel Company;

Also, bills from the House of Representatives, without amendment, of the following titles:

No. 75—An act concerning guardians;

No. 148—An act to incorporate the town of New Albany;

And bills from the House, of the following titles, with amendments to each, to wit:

No. 151—An act to incorporate the Eel river Steam mill Company;

No. 154—An act to provide for cancelling and entering satisfaction of mortgages;

No. 198—An act to incorporate the New Albany Ferry Company;

No. 17—An act to incorporate the Lawrenceburgh and Harrison Turnpike Company;

In which bills of the Senate, and in the amendments of the Senate to the bills of the House Nos. 151, 154, 198, and 17, the concurrence of the House of Representatives is requested.

The engrossed bill of the Senate [No. 62] named in said message, was twice read by the title, (the rules of the House having first been dispensed with,) and

On motion, committed to the judiciary committee.

The engrossed bills of the Senate, named in said message, Nos. 65, 73, 90,

Were severally read the third times and passed, (the rules of the House having first been dispensed with.

Ordered, That the clerk inform the Senate thereof.

The engrossed bill of the Senate No. 67, named in said message,

Was read the first time and passed to the second reading on to-morrow.

The engrossed bill of the Senate [No. 87] named in said message, was three times read, and

On motion of Mr. Willett, committed to the judiciary committee, (the rules of the House having first been dispensed with.)

The engrossed bill of the Senate, [No. 91] named in the message,

Was twice read (the rules of the House having first been dispensed with,) and

On motion of Mr. Craig of M., amended, when,

On motion, said amendment to said bill, was considered as engrossed, and, with the bill, read the third time and passed.

Ordered, That the clerk inform the Senate of the amendment of the House of Representatives thereto.

The Engrossed bill of the Senate [No. 93] named in said message, was read the first time, and passed to a second reading on to-morrow.

Mr. Willett moved to reject said bill;

Which motion did not prevail; when,

On motion of Mr. Stapp, the rules of the House were dispensed with, the bill read the second time by the title, and committed to the judiciary committee.

The amendments of the Senate to the engrossed bills of the House of Representatives, named in said message Nos. 151, 154, 198, and 17, Were severally read, and concurred in by the House.

Ordered, That the clerk inform the Senate thereof.

An additional message from the Senate by Mr. Morrison their principal secretary:

Mr. SPEAKER—

The Senate has concurred in the several amendments made by the House of Representatives to bills of the Senate entitled as follows, viz:

No. 37—An act to amend an act entitled “an act for opening and repairing public roads and highways,” approved February 10, 1831;

No. 51—An act to lay out a state road in the counties of Ripley and Dearborn.

The Senate has concurred in the second amendment of the House, to the bill of the Senate [No. 47] entitled “an act to incorporate the Logansport and Eel river Bridge company,” and disagreed to the 1st amendment of the House to said bill.

On motion of Mr. McBean, the House receded from its first amendment to said bill No. 47, of the Senate.

Ordered, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed without amendment, bills, &c., from the House of Representatives, entitled as follows, viz:

No. 84—An act to organize the county of Marshall;

No. 99—An act declaring Big Raccoon creek in the county of Putnam and Parke a public highway;

No. 156—An act to revive and continue in force an act to incorporate the town of Washington in Daviess county, approved January 31st, 1832;

No. 180—A joint resolution relative to certain irreclaimed lands in the Wabash bottom below Vincennes in Knox county.

Also bills from the House with amendments to each, of the following titles:

No. 169—An act for the formation of the county of Brown;

No. 181—An act to incorporate the Crawfordsville, Covington and Illinois Rail Road Company;

No. 210—An act to appropriate a part of the 3 per cent. fund in the county of Orange and for other purposes.

Also an engrossed bill of the Senate entitled,

No. 82—An act to change a part of a certain state road therein named;

In which bill of the Senate and amendments to the bills of the House the concurrence of the House of Representatives is requested.

The amendments of the Senate to the engrossed bills of the House named in said message, Nos. 181, 210, and 168, were severally read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The engrossed bill of the Senate therein named, [No. 82]

Was three times read and passed (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof.

The following message was also received from the Senate, by Mr. Morrison their principal secretary:

Mr. SPEAKER—

The Senate has passed without amendment engrossed bills from the House of Representatives, entitled as follows:

No. 90—An act declaring a misprint;

No. 92—An act to organize Kosciusko county;

No. 222—An act for the improvement of Morgantown in Morgan county;

Also bills of the Senate entitled as follows:

No. 71—An act to incorporate the Troy Savings' Institution;

No. 81—An act to locate a state road from Montezuma in Parke county to the state line in the direction of Hickory Grove in Edgar county, Illinois;

In which bills of the Senate the concurrence of the House of Representatives is requested.

The engrossed bill of the Senate [No. 71] named in said message,

Was twice read (the rules of the House having first been dispensed with), and

On motion,

Committed to the judiciary committee.

The engrossed bill of the Senate [No. 81] therein named, was three times read by consent and passed.

Ordered, That the clerk inform the Senate thereof.

The following additional message was also received from the Senate, by Mr. Morrison, their principal secretary:

Mr. SPEAKER—

The Senate has passed engrossed bills of the following titles, viz:

No. 85—An act to change the mode of doing county business in the county of Washington and for other purposes;

No. 86—An act for the relief of Wilson Anderson;

In which the concurrence of the House of Representatives is requested.

The engrossed bill of the Senate [No. 85] therein named,

Was twice read (the rules of the House having first been dispensed with), and

On motion,

Committed to a select committee of Messrs. Strain, Clark of Washington, and Armstrong.

The engrossed bill of the Senate (No. 86) named in said message, was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof.

The following message was also received from the Senate, by Mr. Morrison their principal Secretary.

Mr. SPEAKER—

The Senate has passed bills of the Senate of the following titles, viz:

No. 92—An act to Incorporate the Charlestown savings institution;

No. 94—An act to incorporate the Rockport savings institution;

No. 97—An act supplemental to an act entitled an act regulating the practice in chancery, approved Feb. 10, 1831.

In which bills, the concurrence of the House of Representatives is requested.

The engrossed bills of the Senate, named in said message, (Nos. 92,

94, and 97) were severally twice read (the rules of the House having first been dispensed with,) and committed to the judiciary committee.

A message from his Excellency the Governor, by Mr. Ketcham, his private Secretary:

Mr. SPEAKER—

I am directed by his excellency, the Governor, to inform the House of Representatives that on the 30th Jan. 1836, he approved the acts and joint resolution entitled as follows:

No. 42—An act establishing as a state road the county road from Livonia to George Beck's;

No. 129—An act authorizing the location of a state road, from Marion in Grant county to Lagro in Wabash county;

No. 174—An act for the appointment of commissioners to review and extend a state road in the county of Switzerland;

No. 124—An act to establish a state road from a point in the county of Clay to the Wabash river near the mouth of Honey creek in Vigo county, and thence to the state line;

No. 91—An act to organize the county of Porter;

No. 118—An act to organize the county of Jay;

No. 70—An act to incorporate the town of Vevay;

No. 64—An act to change certain alleys in the town of Livonia;

No. 115—An act authorizing the school commissioner of Dearborn county to sell and convey certain school lands therein mentioned;

No. 66—An act to provide for the election of a justice of the peace in the town of Brownsville;

No. 93—An act to amend the act to incorporate the Michigan City and Kankakee rail road company;

No. 108—An act to incorporate the Indiana Baptist Education Society, and the Indiana Baptist Manual Labor Institute;

No. 147—An act to vacate part of a certain street in the town of Washintong in Wayne county, Indiana.

No. 28—A joint resolution and memorial for the relief of Margaret Nation and others;

Mr. Vawter, from the select committee, to which was referred

The bill (No. 62) of the House of Representatives, authorizing a loan for the improvement of state roads and pledging the 3 per cent. fund for the payment thereof, reported the same back to the House with sundry amendments.

Mr. Dunning being in the chair,

Mr. Smith, Speaker, moved to indefinitely postpone said bill and amendments,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Brown, Bryan, Buell, Carnan, Chiles, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Harrow, Hubbard,

Huntington, Johnston, Lee of M., and C., Macey, Mason, McBean, McCarty, Morris, Myers, Nave, Posey, Ray, Steele, Templeton, Thompson of J., Walker, of S., Willett, & Smith, Speaker—33.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Carr, Chamberlain, Chambers, Clark of Washington, Cole, Collins Cushman, Edmonston, Eggleston, Graham, Harris, Howard, Howell, Huckleberry, Jackson, Jones, Kilgore, Lee of B., Liston, Miller, Moore, Murray, Phelps, Ristine, Smith, Stapp, Strain Thompson of A., Thompson of L., Vawter, Walker of D., Watt, Whitman, Wilson, and Zenor—39.

And so said bill was not indefinitely postponed.

On motion,

Said proposed amendment was amended, when,

Mr. Kilgore moved to indefinitely postpone said bill and appending amendments,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Brown, Bryan, Buell, Carnan, Chiles, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Harrow, Hubbard, Huntington, Johnston, Kilgore, Lee of M. & C., Macey, Mason, McBean, McCarty, Morris, Nave, Posey, Ristine, Stapp, Steele, Strain, Templeton, Thompson of L., Vandever, Walker of S., Willett, and Smith, Speaker—37.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Carr, Chamberlain, Chambers, Clark of Washington, Cole, Collins, Cushman, Edmonston, Eggleston, Graham, Harris, Howard, Howell, Huckleberry, Jackson, Jones, Lee of B., Liston, Miller, Moore, Murray, Phelps, Smith, Thompson of A., Thompson of L., Walker of D., Vawter, Watt, Whitman, Wilson, and Zenor—35.

And so said bill was indefinitely postponed,

Mr. Armstrong, from the select committee to which was referred a petition on that subject, reported

A bill (No. 254) to change the line dividing the counties of Jefferson and Clarke;

Which was three times read by consent and passed.

Mr. Stapp voting against the same.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Dunning, from the select committee to which was referred a petition on that subject, reported

A bill (No. 255) to locate and improve certain state roads therein named; and

Mr. Posey, from the select committee to which was referred a petition on that subject, reported

A bill [No. 256] to amend an act entitled, an act for the relief of the poor, approved Feb. 10, 1831;

Which were severally read three times and passed, (the rules of the House having first been dispensed with.)

Ordered, That they be entitled acts and that the Clerk carry them to the Senate and ask their concurrence therein.

Mr. Liston (having obtained leave) presented

A bill [No. 257] to incorporate Michigan City;

Which was twice read by the title, (the rules of the House having first been dispensed with,) and committed to the judiciary committee.

Mr. Stapp (having obtained leave) presented

A bill [No. 258] to authorize the election of an additional justice of the peace in the county of Jefferson; and

Mr. Bardwell (having obtained leave) presented

A bill [No. 259] to legalize the marriage of Derastus Fry and Miss Snodgrass of Hancock county; and

Mr. Thompson of A. also (having obtained leave) presented

A bill [No. 260] to repeal so much of the act entitled an act to amend an act entitled an act to regulate the mode of doing county business in this state, approved Jan. 19, 1831, as relates to the county of Allen;

Which were severally read three times and passed, (after a suspension of the rules.)

Ordered, That they be entitled acts, and that the Clerk carry them to the Senate and ask their concurrence therein.

Mr. Huckleberry, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills which originated in the Senate entitled acts as follows, to wit:

No. 40—An act to incorporate the Rockville steam mill company;

No. 27—An act to incorporate the Leavenworth savings institution;

No. 46—An act to continue in force an act entitled an act for the benefit of persons who are likely to suffer by the destruction of the records of Parke county approved Dec. 23, 1832, and also an act amendatory thereto, approved Jan. 8, 1834, and amendatory of an act entitled an act for the benefit of persons who are likely to suffer by the destruction of the records of Spencer county, approved Jan. 27, 1833;

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their President.

And the House adjourned.

SATURDAY, JANUARY 30, 1836.

The House met.

Mr. Edwards presented the petition of sundry citizens of Randolph county, praying the incorporation of a company for the construction of a rail road.

Mr. Evans moved that the previous orders of the day which precede the bill [No. 252] supplemental to an act, passed the present session of the General Assembly, entitled "an act to provide for a general system of internal improvement, and that said bill be then considered.

And the ayes and nays being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Brown, Bryan, Buell, Carnan, Carr, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Davis, Edwards, Evans, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of M. and C., Mason, McBean, McCarty, Morris, Ray, Ristine, Stapp, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Whitman & Smith, Speaker—37.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Boone, Chamberlain, Chambers, Chiles, Cushman, Dunning, Edmonston, Eggleston, Harrow, Harris, Howard, Howell, Huckleberry, Lee of B., Macey, Miller, Moore, Murray, Nave, Phelps, Smith, Steele, Strain, Watt, Willett, Wilson, Zenor,—27.

And so said motion was decided in the affirmative.

Mr. Evans moved that said bill be referred to a select committee.

Mr. Howel moved to amend said motion as to change the reference to a committee of the whole, and make it the order of the day for Monday next.

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Chiles, Cushman, Edmonston, Eggleston, Harris, Howard, Howell, Huckleberry, Macey, Miller, Moore, Nave, Phelps, Smith, Steele, Strain, Willett, Wilson, and Zenor—21.

And those who voted in the negative are,

Messrs. Boone, Brown, Bryan, Buell, Carnan, Carr, Chamberlain, Chambers, Clark of Washington, Cole, Collins, Craig of M., Crag of P., Curtis, Davis, Dunning, Edwards, Evans, Harrow, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. and Cass, Mason, McBean, McCarty, Morris, Murray, Ray, Ristine, Stapp, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever.

Vawter, Walker of D., Walker of S., Watt, Whitman and Smith, Speaker—45.

And so said amendment did not prevail.

Mr. Moore moved to indefinitely postpone said bill;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Chambers, Cole, Cushman, Edmonston, Eggleston, Graham, Harris, Howard, Howell, Jones, Macey, Miller, Moore, Nave, Phelps, Posey, Smith, Steele, Willett, Wilson, and Zenor—22.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Boone, Brown, Bryan, Buell, Carnan, Carr, Chamberlain, Chiles, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Harrow, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Kilgore, Lee of B., Lee of M. and C., Mason, McBean, McCarty, Morris, Murray, Myers, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of S., Watt, Whitman and Smith, Speaker—50.

And so said motion did not prevail.

Mr. Smith moved to amend the motion to commit to a select committee, by adding the following instructions:

“Strike out the first section which proposes to increase the interest on stocks for internal improvements, from 5 per cent. to 6 per cent.; and also strike out the twelfth section, which authorizes the fund commissioners to negotiate temporary loans with banks or individuals, or the State Bank or branch banks of Indiana, without prescribing the length of time or the purpose for which such loans shall be made, and the amount of interest that shall be paid.

Mr. Dunning moved to amend said instructions by striking out thereof, so much as relates to the twelfth section of said bill;

And the ayes and noes being required thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Brown, Bryan, Buell, Carnan, Chamberlain, Chambers, Clark of Washington, Cole, Collins, Craig of M., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Harrow, Hubbard, Huckleberry, Johnston, Kilgore, Lee of B., Lee of M. and C., Mason, McBean, McCarty, Morris, Murray, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, and Smith, Speaker—47.

And those who voted in the negative are.

Messrs. Boone, Carr, Chiles, Craig of P., Cushman, Edmonston,

Eggleston, Graham, Harris, Howard, Howell, Jackson, Jones, Macey, Miller, Moore, Nave, Phelps, Posey, Smith, Steele, Willett, Wilson and Zenor—24.

And so said amendment was adopted.

On motion of Mr. Buell, said instructions were further amended, as follows, to wit:

"That the fund commissioners shall not be authorized to make temporary loans, until a permanent loan has been effected, and to limit the amount of the temporary loans.

On motion of Mr. Smith, said instructions were further amended as follows, to wit:

"And that no temporary loans shall be made at a higher rate of interest than 6 per cent."

Mr. Thompson of L., moved further to amend said instructions, as "that the committee inquire into the expediency thereof;

And the ayes and noes being requesten thereon by two members,

Those who voted in the affirmative are,

Messrs. Brown, Bryan, Carnan, Chamberlain, Collins, Craig of P., Curtis, Davis, Edwards, Evans, Gregg, Hannaman, Johnston, Kilgore, Lee of M. and C., Mason, McBean, McCarty, Murray, Ray, Ristine, Stapp, Templeton, Thompson of A., Thompson of L., Vawter, Walker of S., and Smith, Speaker—28.

And those who voted in the negative are,

Messrs. Bardwell, Beunnett, Boone, Buell, Carr, Chiles, Clark of Washington, Cole, Craig of M., Cushman, Dunning, Edmonston, Eggleston, Graham, Harrow, Harris, Howard, Howell, Hubbard, Huckleberry, Huntington, Jackson, Jones, Lee of B., Macy, Miller, Moore, Nave, Phelps, Posey, Smith, Steele, Strain, Thompson of J., Vandever, Walker of D., Watt, Whitman, Willett, Wilson, and Zenor—41.

And so said motion did not prevail.

Mr. Nave moved to further amend said instruction as follows, to-wit:

And in case such temporary loans shall be made, the citizens of this state shall not be bound for the payment of either the principal or interest or any part thereof;

Which was decided in the negative.

Mr. Thompson of L. moved to amend said instructions by striking them out and insert in lieu thereof the following.

To inquire if any and what amendments are necessary thereto.

Mr. Smith moved to indefinitely postpone said bill and appending amendments,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Chambers, Cole, Cushman, Edmonston, Eggleston, Graham, Harris, Howard, Howell, Jones, Miller, Moore, Nave, Phelps, Posey, Smith, Steele, Willett, Wilson, and Zenor—21.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Boone, Brown, Bryan, Buell, Carnan, Carr, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Harrow, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Kilgore, Lee of B., Lee of M. and C., Macey, Mason, McBean, McCarty, Morris, Murray, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, and Smith, Speaker—50.

And so said motion did not prevail.

And the question then recurring on the motion to amend the instruction,

And the ayes and noes being requested thereon by two members;

Those who voted in the affirmative are,

Messrs. Brown, Chamberlain, Collins, Craig of P., Curtis, Davis, Edwards, Evans, Gregg, Hannaman, Huntington, Johnston, Kilgore, Lee of M. and C., Mason, McBean, McCarty, Morris, Ray, Ristine, Stapp, Templeton, Thompson of A., Thompson of J. Thompson of L., Vawter, Walker of S., and Smith Speaker—23.

And those who voted in the negative are,

Messrs. Bardwell, Bennett, Boone, Buell, Carnan, Carr, Chambers, Clark of Washington, Cole, Craig of M., Cushman, Dunning, Edmonston, Eggleston, Graham, Harris, Howard, Howell, Hubbard, Huckleberry, Jackson, Jones, Lee of B., Macey, Miller, Moore, Murray, Nave, Phelps, Posey, Smith, Steele, Strain, Vandever, Walker of D., Watt, Whitman, Willett, Wilson, and Zenor—40.

And so said motion was decided in the negative.

Mr. Willett moved further to amend said instructions by adding thereto the following:

That the committee be instructed to strike out so much of the section as makes it the duty of the board of internal improvement, (should the White Water canal be extended further north than the National road) to connect the rail road, which will connect the White Water canal at the terminating of the said White Water canal;

Which was negatived.

Mr. Eggleston then moved the following amendment to said instructions:

That the committee be instructed to so modify the bill that no temporary loan shall be made for any other purpose than for defraying the interest on the permanent loans, and that no temporary loan shall be for a longer period of time than six months, and shall not be renewed under any pretence whatever;

Which motion did not prevail.

And the question then recurring on the motion of Mr. Smith to amend the motion to commit,

It was put,

The ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Buell, Carr, Chambers, Clark of Washington, Cole, Craig of M., Curtis, Davis, Dunning, Edmonston, Eggleston, Harrow, Harris, Howard, Howell, Hubbard, Huntington, Jones, Lee of Bartholomew, Macey, McBean, Miller, Moore, Murray, Nave, Phelps, Posey, Smith, Steele, Strain, Thompson of Johnson, Vandever, Watt, Whitman, Willett, and Zenor—41.

And those who voted in the negative are,

Messrs. Brown, Carnan, Chamberlain, Collins, Craig of P., Evans, Gregg, Haannaman, Johnston, Kilgore, Lee of M. and C., Mason, McCarty, Morris, Ray, Ristine, Stapp, Templeton, Thompson of Allen, Thompson of Lawrence, Vawter, Walker of S., and Smith, Speaker—23.

And so said question was decided in the affirmative.

And the question was then put on the motion to commit with the instructions,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Brown, Buell, Carnan, Carr, Chamberlain, Clark of Washington, Cole, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Harrow, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. and C., Macey, Mason, McBean, McCarty, Morris, Murray, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of S., Watt, Whitman, and Smith Speaker—49.

And those who voted in the negative are,

Messrs. Chambers, Edmonston, Eggleston, Harris, Howard, Howell, Miller, Moore, Nave, Phelps, Posey, Smith, Steele, Willett, and Zenor,—15.

And so said bill was so committed.

Ordered, That Messrs. Evans, Stapp, Thompson of L., Huntington, and McCarty be that committee.

And the House adjourned.

2 o'clock, P. M.

The House met.

Mr. Johnston from the joint committee on enrolled bills, reported that they did on this day, present to his excellency the Governor, for his approval and signature, bills and joint resolutions of the following titles, to-wit:

No. 238—An act to authorize the sale of certain real estate of James Johnson, late of Indianapolis, deceased;

No. 206—An act to authorize the holding an additional term of the Floyd circuit court;

No. 191—A joint resolution authorizing the publishing of an act of Congress therein named;

No. 175—An act to vacate a part of a state road therein named and for other purposes;

No. 167—A joint resolution relative to the Michigan road lands;

No. 165—A joint resolution relative to the Marion county Library moneys;

No. 190—An act to amend an act entitled an act incorporating congressional townships, approved February 2, 1833;

No. 178—An act to establish a state road from Scott's ferry in Morgan county by the way of Hadley's mill in said county to Bellville in Hendricks county;

No. 176—An act to authorize the location of a state road from the mouth of Eel river in Greene county to Bowlinggreen in Clay county;

No. 168—A joint resolution for the relief of James Scott;

No. 128—An act to amend an act entitled an act to incorporate the St. Joseph's Iron Company;

No. 89—An act to enable the school commissioners of the several counties of this state to correct the returns of the collectors;

No. 48—An act to make the Knox county Agricultural Society a branch of the State Agricultural Society of Indiana;

Also bills and joint resolutions which originated in the Senate, entitled as follows, to-wit:

No. 52—An act to establish a state road from Rome in Perry county to Jasper in Dubois county;

No. 42—An act authorizing the inhabitants of township 8, south of range 2 west, to sell their school lands;

No. 44—An act to provide for a special session of the Jefferson circuit court;

No. 48—A joint resolution respecting Blackford's Reports;

No. 32—An act to provide for a justice of the peace in Rockford, Jackson county;

No. 40—An act to incorporate the Rockville steam mill company;

No. 41—An act to incorporate the town of Rome in Perry county;

No. 27—An act to incorporate the Leavenworth Savings Institution;

No. 12—An act to continue in force an act entitled an act for the benefit of persons who are likely to suffer by the destruction of the records of Parke county, approved Dec. 28, 1832; and also an act amendatory thereto, approved Jan. 8, 1834, and amendatory of an act entitled an act for the benefit of persons who are likely to suffer by the destruction of the records of Spencer county, app'd. Jan, 27, 1833;

No. 49—An act to incorporate the president and trustees of the Rush county Seminary.

Mr. Jackson, from the joint committee on enrolled bills, reported that they had compared the enrolled with the engrossed bills and joint resolution, which originated in the House of Representatives of the following titles, to-wit:

No. 63—An act to incorporate the town of Indianapolis;

No. 90—An act declaring a misprint;

No. 92—An act to organize Kosciusko county;

No. 99—An act declaring Big Raccoon creek in the counties of Parke and Putnam a public highway;

No. 156—An act to revive and continue in force an act to incorporate the town of Washington in Daviess county, approved January the 31st, 1832;

No. 180—A joint resolution relative to certain unreclaimed lands in the Wabash bottom below Vincennes in Knox county; and,

No. 222—An act for the improvement of Morgantown in Morgan county;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Wilson from the committee of ways and means made the following report:

Mr. SPEAKER—

The committee of ways and means to which was referred a resolution directing them to inquire into the expediency of directing the collectors of each county to advertise in two or three of the most public places in each township, that he will attend on a certain day at the usual place of holding elections for the purpose of collecting the revenue of state and county—Further, any person or persons failing to pay or have paid his or their taxes on or against such day, the collector shall be authorized to collect the same by suit before some justice of the peace of the township where such delinquent actually resides or may be found;

Also a resolution referring so much of the Governor's message as relates to loaning the unexpended balance appropriated to the improvement of the Wabash river;

Also a communication from the President Judge of the 2d judicial circuit, reporting claims allowed to the clerk of Floyd county, have had the same under consideration and direct me to report that legislation on these matters is inexpedient;

Which was read and concurred in.

Mr. Stapp, from the judiciary committee, made the following report:

Mr. SPEAKER—

The judiciary committee to which was referred bills of the Senate, entitled acts, to-wit:

No. 72—An act to incorporate the Madison Hotel Company;

No. 92—An act to incorporate the Charlestown Savings' Institution;

No. 94—An act to incorporate the Rockport Savings' Institution;

Have had the same under consideration and have directed me to report the same with amendments and ask the concurrence of the House.

The amendments of the committee to the bill [No. 94,] named in said report, were read and concurred in, and

On motion of Mr. Stapp, said amendments were considered as engrossed, and with the bill, read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

The amendments of the committee to the bill of the Senate [No. 72] named in said report, were read and concurred in by the House, and

On motion, said amendments were considered as engrossed, and with, the bill, read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

The amendments to the bill [92] of the Senate, therein named, were concurred in and with the bill, read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Ray, from the judiciary committee, to which was referred the bill (No. 87) to incorporate the Salem Savings institution, reported the same back to the House with amendments;

Which were read and concurred in; and

On motion of Mr. Ray, said bills were considered as engrossed, read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Eggleston, from the judiciary committee, to which was referred the bill [No. 62] of the Senate, to incorporate the Clark county trading and manufacturing company, reported the same to the House with amendments;

Which were read and concurred in.

On motion, said amendments were considered as engrossed, and, with the bill, read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Eggleston, from the committee on the judiciary, to which was referred the bill [No. 71] of the Senate, to incorporate Troy Savings Institution, reported the same back to the Senate with amendments;

Which Were read and concurred in: when,

On motion, the amendments to said bill were considered as engrossed, and the bill read the third time and passed.

Mr. Willet moved to amend the title, by inserting after the word "savings," the words "and insurance;"

Which motion prevailed.

Ordered, That the clerk inform the Senate thereof.

Mr. Wilson presented the respective petitions of A. F. Morrison, and Douglass & Maguire, on the subject of the public printing, and praying certain relief therein named; which,

On motion of Mr. Wilson, were referred to the committee on claims.

Mr. Chiles, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER—

The joint committee on enrolled bills report, that they have compared the enrolled with the engrossed bills and joint resolution which originated in the Senate, entitled as follows, viz:

No. 37—An act to amend an act entitled "an act for opening and repairing public roads and highways," approved February 10, 1831;

No. 41—An act to incorporate Parke county seminary;

No. 50—A joint resolution on the subject of authorizing the Secretary of State to furnish the counties of Allen and Laporte, with copies of the revised laws;

No. 51—An act to lay out a state road in the counties of Ripley and Dearborn,

And find the same truly enrolled;

Whereupon, the Speaker signed the same;

Ordered, That the clerk carry them to the Senate for the signature of their president.

Mr. Bennett, from the committee on claims, made the following report:

The committee on claims to whom were referred resolutions of the House in relation to the claims of Augustus Wylie, late collector of the State revenue, in Tippecanoe county; Arthur L. Blagrave, collector in Dubois county, and of the Hon. Isaac Blackford, for reports furnished by him to the State, have had the same under consideration, and have directed the following resolution to be reported to the House for adoption.

Resolved, That the committee of ways and means be directed to allow, in the specific appropriation bill, the sum of twenty-one dollars and sixty-four cents to Augustus Wylie, of Tippecanoe county, and

to Arthur L. Blgrave of Dubois county, twenty-one dollars and seventy four cents, the said amounts having been by them paid improperly into the state treasury; and to the Hon. Isaac Blackford, the sum of one hundred and sixty-eight dollars for forty-two volumes of Blackford's Reports, by him furnished to the State, in pursuance of a resolution of the last General Assembly;

Which said resolution was read and adopted.

Mr. Morris, from the committee on agriculture, made the following report:

Mr. SPEAKER—

The committee on agriculture to which were referred the several communications made to the House from the State Board of Agriculture, have had the same under their consideration, and report:

From an examination of these documents referred to, it appears that the law of last year, for the encouragement of agriculture, has been productive of much good. Under it, a state board of Agriculture, a state agricultural society, and a number of county agricultural societies have been organized. From the returns sent up to the state agricultural society at their meeting in December last, it is evident that within the year past, quite an agricultural revolution has been produced in many counties.

Your committee therefore entertain hopes, that by the next meeting of the society, it will be found that, that not only has each county a well organized society, but that each society will be represented at that meeting. The reports of the state board suggest amendments to the present law, which has been duly considered by your committee; some of them they have embodied in a bill herewith reported, entitled "a bill to amend the act for the encouragement of agriculture," approved, February 7, 1835.

As several of the documents referred to the committee, contained general information upon the important subject of agriculture, it is believed by your committee, that they would be read by every part of the community with interest. They therefore recommend the adoption of the following resolution:

Resolved, That documents accompanying this report, numbered 1, 2, 3, 4, 5, and 6, be printed in pamphlet form, for public distribution.

The bill [No. 261] therein named, was twice read by consent.

Mr. Moore moved to amend the same by striking out 'twenty dollars;'

Which motion was lost.

Ordered, That said bill be engrossed and read the third time to morrow.

The resolution in said report, was read and adopted.

Mr. Howard (having obtained leave) presented

A bill [No. 262] to legalize the Rising Sun, Dearborn county, Agricultural Society;

Which was three times read and passed, (the rules of the House having first been dispensed with)

Ordered, That it be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Dunning, from the committee on the state library, to which was referred several matters pertaining thereto, reported

A bill [No. 263] to amend the act entitled an act to establish a state library, approved February 10th, 1831;

Which was twice read (the rules of the House having first been dispensed with,) and ordered to be engrossed and read a third time tomorrow.

Mr. Strain, from the select committee to which was referred a petition on that subject, reported

A bill [No. 264] to amend an act entitled, an act to locate a state road from Leavenworth in Crawford county, to Salem in Washington county, approved January 8, 1835;

Which was three times read and passed.

Ordered, That it be intitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

MR. SPEAKER—

The select committee to which was referred the report of the Board of Directors of the Bloomington and Leavenworth rail road company, and also the report of E. N. Elliott, principal engineer on said road, with the accompanying documents, have had those several matters under consideration, and after mature deliberation upon the same, have directed me to report the following bill in accordance with the views of said board, to wit:

A bill to amend the act incorporating the Leavenworth and Bloomington rail road company, approved Feb. 1, 1834;

Which said bill (No. 265) was read the first time and passed to a second reading on tomorrow.

Mr. Moore, from the select committee to which was referred a petition on that subject, reported

A bill (No. 266) to vacate a part of the public common in the town of Spencer, in the county of Owen;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Strain, from the committee to which was referred the engrossed bill of the Senate [No. 85] reported the same back to the House with an amendment;

Which was read and concurred in, when,

On motion,

Said amendment was considered as engrossed, and with the bill read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Huckleberry, from the select committee to which was referred sundry petitions on that subject, reported

A bill [No. 267] to incorporate the Jeffersonville and New Albany canal company;

Which was twice read (the rules of the House having first been dispensed with,) and referred to the judiciary committee.

On motion of Mr. Brown,

Resolved, That the committee on the State Bank be instructed to inquire into the expediency of reducing the amount of damages on bills of exchange as regulated by an act, approved Jan. 20, 1820.

On motion of Mr. Vawter,

Resolved, That the committee of ways and means be directed to report a bill appropriating two hundred dollars per annum, for clerk hire in each of the offices of Auditor, Secretary, and Treasurer of State, payable quarter yearly, as other moneys out of the Treasury.

Mr. Willett moved the adoption of the following resolution:

Resolved, That the resolution heretofore adopted on the subject of adjourning *sine die* be recinded, and that the General Assembly will adjourn without day on Thursday the 4th of February, and that the Senate be informed thereof and its agreement thereto requested.

Mr. Huntington moved to strike out Thursday the 4th, and insert Monday the 15th.

Mr. Johnston moved to lay said resolution on the table.

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Carnan, Chamberlain, Chambers, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edmonston, Edwards, Evans, Hannaman, Harrow, Harris, Howard, Howell, Hubbard, Huntington, Johnston, Jones, Lee of B., Lee of M. and C., Macey, Mason, McBean, McCarty, Morris, Murray, Nave, Ray, Ristine, Steele, Strain, Templeton, Thompson of A., Thompson of J., Vandever, Walker of S., Whitman, Wilson, and Smith, Speaker—42.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Boone, Brown, Buell, Carr, Cushman, Eggleston, Gregg, Huckleberry, Kilgore, Miller, Moore, Phelps, Posey, Smith, Stapp, Thompson of L., Vawter, Walker of D., Watt, Willett, and Zenor—23.

And so said resolution was laid on the table.

Mr. Huckleberry moved the adoption of the following resolution:

Resolved, That this House will, after this week, and during the remainder of the session, meet each evening at 6 o'clock for the transaction of business;

Which was decided in the negative.

On motion of Mr. Thompson of L.,

Resolved, That the committee on claims be directed to inquire into the expediency of allowing Yandes & E. T. Porter the sum of \$50

92½ for sundry articles of merchandize furnished the state of Indiana during the present session of the General Assembly.

On motion of Mr. Harrow,

Resolved, That the committee on claims be directed to inquire into and investigate the claim of John Cowgill, a witness summoned in behalf of the state of Indiana in the case of C. C. Nave, a member of this House at the present session, for travelling from and returning to Greencastle, the place of his residence.

On motion of Mr. Morris,

Resolved, That the committee of ways and means be instructed to incorporate a provision in the specific appropriation bill, making it the duty of the commissioners who superintend the erection of the state house, to allow to such persons who have furnished tables, desks, and chairs for the State House, also for any other articles furnished for either Hall, or any of the committee rooms, and the Auditor of Public Accounts shall upon their certificate audit such claims so allowed.

Mr. Thompson of A., introduced

A memorial and joint resolution (No. 268) on the subject of the Wabash and Erie Canal;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Kilgore introduced a joint resolution [No. 269] for the benefit of the Colleges of this state, which was read the first time, and,

On motion of Mr. Willett, rejected.

Mr. Brown presented

A bill [No. 270] for the relief of Stephen Trickle;

Which was twice read (the rules of the House being dispensed with,) and

On motion of Mr. Buell,

Amended by striking out "\$20" and inserting "such amount as may be found due him."

On motion of Mr. Brown,

The rules were further dispensed with, said bill read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Brown presented

A bill [No. 271] to incorporate the Lafayette insurance company;

Which, (after a suspension of the rules) was twice read by the title and referred to the judiciary committee.

Mr. Bardwell presented

A bill [No. 272] to renew the corner stakes and boundaries of the town of Greenfield, the county seat of Hancock county;

Which, (after a suspension of the rules) was three times read and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Morris presented

A bill [No. 273] to incorporate the Western Scientific and Agricultural College;

Which, (after a suspension of the rules for that purpose) was twice read, and

On motion,

Referred to a select committee of Messrs. Armstrong, Morris, and Evans.

Mr. Evans presented

A bill [No. 274] authorizing the inhabitants of Newtown in Fountain county to become incorporated;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Johnston presented

A bill [No. 275] for the relief of Benjamin McCarty, a purchaser of Michigan road land;

Which was twice read, (the rules of the House having first been dispensed with,) and

On motion,

Referred to the committee on roads.

Mr. Nave presented

A bill [No. 276] to provide for an additional appropriation of the 3 per cent. fund;

Which was twice read (the rules of the House having first been dispensed with.)

Mr. Evans moved to indefinitely postpone said bill.

Mr. Smith moved to lay it on the table;

Which motion was decided in the affirmative.

Mr. Hannaman presented

A bill [No. 277] to vacate the town of Cynthiana in Hamilton county; Which, (after a suspension of the rules for that purpose) was three times read and passed.

Ordered, That it be entitled an act and that the clerk inform the Senate thereof and ask their concurrence therein.

Mr. Carr presented

A bill [No. 278] to incorporate the Browsntown turnpike company;

Which was twice read (the rules of the House having first been dispensed with,) and

On motion,

Committed to the committee on roads.

Leave of absence was granted to Mr. Vawter during the residue of the session.

Mr. Armstrong introduced

A bill [No. 279] to incorporate the Bethlehem Savings Institution;

Which was twice read (the rules of the House having first been dispensed with), and

On motion,

Committed to the judiciary committee.

On motion of Mr. Stapp,

The committee of the whole to which was referred the bill

No. 142—To amend an act entitled an act to regulate the mode of doing county business in the several counties in this state, approved Jan. 19, 1831, was discharged from the further consideration thereof.

Mr. Eggleston moved to amend said bill by striking out the 5th section thereof; when,

On motion of Mr. Howell,

Said bill was indefinitely postponed.

On motion of Mr. Stapp,

The committee of the whole to which was referred the bill

No. 217—To amend an act entitled an act regulating the jurisdiction and duties of justices of the peace, approved Feb. 10, 1831, was discharged from the further consideration thereof.

And the House adjourned.

MONDAY, FEBRUARY 1, 1836.

The House met.

Mr. Stapp from the judiciary committee to which was referred the bill [No. 267] to incorporate the Jeffersonville and New Albany canal company, reported the same back to the House without amendment.

Mr. Stapp then moved to amend said bill as follows:

That the Secretary of State be and he is hereby authorized on behalf of the State of Indiana, to subscribe for and take two thousand shares of said stock, to be paid as follows, to-wit: So soon as said company shall have expended on said canal, the sum of \$100,000, and the board of internal improvement shall be satisfied that the same has been expended in good faith, he is hereby authorized, and it shall be his duty on behalf of the State of Indiana, to accept a draft, drawn by said company, at 4 months for the sum of fifty thousand dollars and the interest thereon, from the time of the call on the stockholders for their proportion at the rate of 5 per centum per annum, and for every \$100,000 so expended by said company, the secretary shall in like manner accept a like draft of \$50,000 until the whole stock subscribed shall be paid;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Brown, Carr, Chambers, Davis, Evans, Gregg, Hannaman, Huckleberry, Jackson, Johnston, Macey, McBeau, Morris, Phelps, Ristine, Stapp, Strain, Templeton, Thompson

of A., Walker of D., Walker of S., Whitman, and Smith, Speaker—25.

And those who voted in the negative are,

Messrs. Bennett, Boone, Bryan, Buell, Carnan, Chamberlain, Collins, Craig of M., Curtis, Edmonston, Edwards, Eggleston, Harrow, Harris, Howard, Howell, Hubbard, Lee of M. and C., Mason, McCarty, Miller, Moore, Murray, Myers, Posey, Ray, Smith, Steele, Thompson of J., Thompson of L., Vandever, Vawter, and Willett—33.

On motion of Mr. Armstrong,

Said bill was further amended, and

On motion,

Read the third time and passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Stapp from the same committee to which was also referred the bill [No. 271] to incorporate the Lafayette insurance company, reported the same to the House without amendment.

On motion,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and the clerk carry it to the Senate and ask their concurrence therein.

Mr. Eggleston from the same committee to which was also referred the bill [No. 271] to incorporate Michigan City, reported the same back to the House with one amendment;

Which was read and concurred in; when,

On motion,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Vawter from the committee on roads made the following report:

The committee on roads to which was referred the petition of J. Ross and others No. 4; also the petition of Robert Hood and others No. 9; also the petition of George Johnson and others, No. 237; also the petition of John Ward and others No. 13; also the petitions of Smith Boyd and others Nos. 7 and 8, praying the location of state roads and asking an appropriation of the 3 per cent. fund, have had the same under consideration, and the committee have directed me to report, that in several cases the prayers of said petitioners have been provided for in the bill reported by the committee of revision on roads, and that legislation on the other petitions at this time is inexpedient;

Which was read and concurred in.

Mr. Thompson of L. from the select committee to which was referred a petition on that subject, reported

A bill [No. 280] amendatory of an act entitled an act relative to county boundaries, approved Feb. 10, 1831;

Which was read the first time, and,

On motion of Mr. Carr, rejected.

Mr. Walker of Dearborn from a select committee, made the following report:

The select committee to which was referred the petitions of sundry citizens of Dearborn county, praying for a division of said county and erect a new county out of the same, have had the same under their care and have directed me to report that it is inexpedient to legislate on that subject, and the committee ask to be discharged from the further consideration of the same;

Which was read and concurred in.

Mr. Edwards from the select committee to which was referred a petition on that subject, reported

A bill [No. 281] to incorporate the Michigan turnpike company;

Which was three times read and passed (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Armstrong from the select committee to which was referred the bill [No. 273] to incorporate the Western Scientific and Agricultural College, reported the same back to the House without amendment;

When,

On motion,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Morris from a select committee, made the following report:

Mr. SPEAKER—

The select committee to which was referred bill No. 204 of the House of Representatives to incorporate the White river bridge company, and bill [No. 166] relative to the Michigan road and Michigan road fund, have had the same under consideration and report the latter [No. 166] with amendments, in which the concurrence of the House is requested; bill [No. 204] they report back without amendment.

The amendments of the said committee to the bill [No. 166] were read and concurred in.

On motion,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

The bill [No. 204] therein named, was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Buell having obtained leave, presented the petition of H. Lowrey and others, citizens of Warren county, praying an act to encourage the killing of prairie wolves;

Which was referred to the committee on agriculture.

Mr. McBean presented the petition of sundry citizens of Cass county, on the subject of a certain road therein named;

Which,

On his motion,

Was referred to the committee on canals and internal improvements.

Mr. Willett moved the adoption of the following resolution:

Resolved, That the select committee to which was referred the bill supplementary to the act to provide for a general system of internal improvements, be directed to provide in the said bill that two or more persons be added to the board of fund commissioners, and that they be ineligible to re-appointment to said office after a certain period of service;

Which was decided in the negative.

Mr. Chamberlain presented the remonstrance of sundry citizens of Laporte county, against a petition heretofore presented praying a certain state road therein named;

Which was referred to the committee on roads without reading.

Mr. Mason presented

A bill [No. 282] to incorporate the Connersville savings institution;

Which was twice read by consent.

On motion of Mr. Howell.

Said bill was amended as to limit the duration of said corporation to twenty years; when,

On motion,

The rules of the House were further dispensed with, said bill considered as engrossed, read the third time and passed.

On motion of Mr. Willett,

The title was amended so as to make it the Connersville and Fort Wayne savings and insurance institution.

Mr. Craig of M., presented

A bill [No. 283] to authorize the citizens of Madison township in the county of Morgan, to elect an additional justice of the peace;

Which was read three times and passed, (the rules of the House having been dispensed with.)

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. McBean presented

A bill [No. 284] supplemental to an act entitled an act, to amend an act entitled an act establishing a State Bank, approved Jan. 1836, providing for a Branch of the State Bank, east of the Lafayette Branch and west of the Fort Wayne Branch,

Which was twice read by consent.

Mr. Smith moved to amend said bill by striking out the first section;
Which motion was decided in the negative.

Ordered, That said bill be engrossed and read the third time to-morrow.

Mr. Miller presented

A bill (No. 285) supplemental to an act entitled an act to provide for a general system of internal improvement;

Which was read the first time and passed to a second reading on to-morrow.

Mr. Kilgore presented

A bill (No. 286) authorizing a relocation of a part of the Cumberland and Huntington state road;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Morris presented

A bill (No. 287) to authorize the state to make a deed to a certain lot near Indianapolis to Wilks Reagan;

Which was twice read (the rules of the House having first been dispensed with,) and,

On motion,

Committed to the committee on the affairs of the town of Indianapolis.

Mr. Huntington, from the committee on canals and internal improvements, made the following report:

The committee on canals and internal improvements to which was referred so much of the Governor's message with the accompanying documents as related to the Ohio and Charleston rail road, have had the same under consideration, and have directed me to report,

A joint resolution of the General Assembly of the state of Indiana, on that subject;

Which said joint resolution (No. 288) was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That the clerk carry it to the Senate and ask their concurrence therein.

Mr. Morris presented

A joint resolution (No. 289) to extend the time of public printing for 1835 and 1836;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof, and ask their concurrence therein.

A message from the Senate by Mr. Morrison their principal Secretary:

The Senate has passed engrossed bills &c. of the Senate of the following titles, to wit:

No. 89—An act to amend the act entitled an act for the defining the duties of recorder, approved Jan. 19, 1831;

No. 95—An act authorizing the Governor to commute capital punishment;

No. 99—an act to extend the provisions of an act therein named, to Lawrence county;

No. 104—An act to amend an act entitled an act to incorporate the Harrison and Indianapolis turnpike company;

No. 105—An act to incorporate the Websterian Social Library;

No. 31—An act to amend an act incorporating congressional townships and providing for public schools therein, approved Feb. 20, 1833;

No. 74—An act authorizing the boards doing county business in the several counties in this state, to exempt certain persons from the payment of a poll and a road tax.

No. 76—An act for the improvement of the Michigan road and for other purposes;

No. 79—An act to amend an act entitled an act [subjecting real and personal estate to execution, approved Feb. 4, 1831;

No. 80—An act authorizing the appointment of testamentary guardians;

No. 78—An act regulating trials for assaults and batteries before justices of the peace;

No. 84—An act for the relief Elias Osborne;

No. 96—An act to legalize the sale of school lands in the county of Pike;

No. 100—An act to amend and extend the act incorporating the Leavenworth and Bloomington rail road company, approved February 1, 1834;

No. 102—An act in relation to the Leavenworth and Bloomington rail road company;

No. 64—An act for the relief of Elizabeth Nowland, widow of Matthias Nowland, deceased;

No. 70—An act giving justices of the peace, concurrent jurisdiction with circuit courts in certain cases;

No. 69—An act to incorporate the Peru and Wabash bridge company;

No. 46—A joint resolution instructing our Senators and requesting our Representatives in Congress to oppose any appropriations for the continuance of the military academy at West Point;

No. 63—A joint resolution on the subject of revising the school laws; Also engrossed bills &c. from the House of Representatives of the following titles, without amendment, viz:

No. 69—An act for the relief of James H. King, recorder of Monroe county;

No. 103—An act for the incorporation of Dublin;

No. 137—An act to legalize the proceedings of Rezen Malott, a road commissioner;

No. 155—An act for the relief of John G. Brown;

No. 229—An act for the relief and benefit of Thomas Smith;

No. 57—A joint resolution on the subject of the survey of a rail road route from Charleston in South Carolina to some suitable point on the Ohio river, in Ohio or Indiana;

No. 82—A joint resolution confirming the sale of certain Michigan road lands;

No. 132—A memorial and joint resolution to the Congress of the United States, on the subject of granting a bounty in land, to the organized militiamen, mounted militiamen, and rangers, of the last war.

No. 193—A joint memorial and resolution to the Congress of the United States, and bills &c. from the House of Representatives, of the following titles, with amendments to each, viz;

No. 32—An act to amend an act entitled 'an act regulating divorces,' approved January 17, 1831;

No. 42—An act to authorize the service of subpoenas, by copy;

No. 87—An act to incorporate the Northern Insurance Company of the State of Indiana;

No. 102—An act to amend an act for the relief of the poor, approved February 10, 1831;

No. 120—An act to amend an act entitled 'an act to incorporate the Crawford county seminary,' approved February 7, 1835;

No. 212—An act to amend the several acts for the promotion of schools and education in Clark's Grant;

In which bills of the Senate, and in the amendments of the Senate to the bills of the House, numbered 32, 42, 87, 102, 120, and 212, the concurrence of the House of Representatives is requested.

The engrossed bills of the Senate therein named, Nos. 89, 104, 105, and 74, were severally three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof.

The engrossed bill of the Senate [No. 95] named in said message,

Was twice read (the rules of the House having first been dispensed with) and

On motion of Mr. Willett, laid on the table.

The engrossed bill of the Senate [No. 31] therein named, was twice read (by consent,) and

On motion, referred to the committee on education.

The engrossed bill of the Senate [No. 99] named in said message,

Was twice read (the rules of the House having first been dispensed with,) and

On motion of Mr. Thompson of L., laid on the table.

The engrossed bills of the Senate named in said message, Nos. 76, and 79,

Were severally twice read, (the rules of the House having first been dispensed with,) and

On motion, laid on the table.

The engrossed bill of the Senate, [No. 80,] therein named, was twice ad, the rules of the House having first been dispensed with,) and

On motion, referred to the judiciary committee.

The engrossed bill of the Senate No. 78, named in said message, was twice read (by consent).

Mr. Bryan moved to commit said bill to the judiciary committee, with instructions to amend the same, as to allow parties a right to appeal to the circuit court, in cases where the fine does not exceed three dollars. And before the question was had thereon,

On motion of Mr. Stapp, said bill was laid on the table.

The engrossed bill of the Senate No. 96, named in the message, was read the first time.

Mr. Jones moved to reject it;

Which motion was decided in the negative;

When, the rules were dispensed with, said bill read the second and third times, and passed.

Ordered, That the clerk inform the Senate thereof.

The engrossed bill of the Senate No. 100, therein named,

Was twice read (after a suspension of the rules of the House) and

On motion of Mr. Stapp, amended, when

On motion of Mr. Mason, said bill was laid on the table,

And the House adjourned.

2 o'clock, P. M.

The House met.

The House resumed the consideration of the message from the Senate, pending when the House adjourned this morning.

The engrossed bill of the Senate No. 102, was three times read, the rules of the House having first been dispensed with, and

On motion of Mr. Thompson of L., laid on the table.

The engrossed bill of the Senate, No. 70, therein named, was twice read, the rules of the House having first been dispensed with, and

On motion of Mr. Stapp, laid on the table.

The engrossed bill of the Senate, No. 64, named in said message, was read the first time and passed to the second reading on to-morrow.

The engrossed bill of the Senate, No. 69, therein named, was twice read (the rules being dispensed with) and

On motion, committed to the judiciary committee.

The engrossed joint resolution [No. 46] of the Senate named in said message, was read the first time.

Mr. Eggleston moved to reject the same;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Brown, Bryan, Buell, Carr, Chamberlain, Chambers, Collins, Craig of M., Craig of P., Curtis, Davis, Eggleston, Evans, Gregg, Hannaman, Harris, Howell, Huntington, Jackson, Johnston, Jones, Kilgore, Liston, Macey, Mason, McBean, McCarty, Morris, Ray, Smith, Stapp, Templeton, Thompson

of A., Thompson of J., Thompson of L., Vawter, Walker of D., Watt Whitman, Willett, Wilson, Zenor, and Smith Speaker—46.

And those who voted in the negative are,

Messrs. Boone, Carnan, Clark of Washington, Dunning, Edmonston, Edwards, Harrow, Howard, Hubbard, Huckleberry, Lee of B., Lee of M. and C., Moore, Murray, Myers, Posey, Ristine, Steele, Strain, Vandever, and Walker of S.,—21.

And so said joint resolution was rejected.

The engrossed joint resolution of the Senate [No. 63] named in said message, was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof.

The amendments of the Senate to the engrossed bills of the House of Representatives, named therein, Nos. 32, 42, 87, 102, 120, and 212, were severally read and concurred in by the House.

A message from his Excellency the Governor, by Mr. Ketcham, his private Secretary:

MR. SPEAKER—

I am directed by his excellency the Governor to inform the House of Representatives, that on 1st Feb. 1836, he approved the acts entitled as follows:

No. 206—An act to authorize the holding of an additional term of the Floyd circuit court;

No. 238—An act to authorize the sale of certain real estate of James Johnson, late of Indianapolis, deceased.

No. 175—An act to vacate a part of a state road therein named and for other purposes;

No. 190—An act to amend an act entitled an act incorporating congressional townships and providing for public schools therein, approved Feb. 2, 1833;

No. 178—An act to establish a state road from Scott's ferry in Morgan county, by the way of Hadley's mill in said county, to Belville in Hendricks county;

No. 165—A joint resolution relative to the Marion county Library moneys;

No. 167—A joint resolution relative to the Michigan road lands;

A joint resolution authorizing the publishing of an act of Congress therein named;

Mr. Thompson of L. from the select committee to which was referred the bill [No. 252] supplemental to an act passed at the present session of the General Assembly entitled an act to provide for a general system of internal improvements, having obtained leave, reported the same back to the House with sundry amendments.

Mr. Willett moved to lay said bill and amendments on the table;
Which motion did not prevail.

The first amendment to said bill was then read and concurred in.

Mr. Clark of Washington moved to indefinitely postpone the further consideration of said bill and appending amendments;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Carr, Chambers, Clark of Washington, Cole, Cushman, Edmonston, Eggleston, Harrow, Harris, Howard, Howell, Huckleberry, Miller, Moore, Phelps, Posey, Smith, Steele, Strain, and Willett—21.

And those who voted in the negative are,

Messrs. Bardwell, Bennett, Boone, Brown, Buell, Carnan, Chamberlain, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Hubbard, Huntington, Jackson, Johnston, Jones, Kilgore, Lee of Bartholomew, Lee of M. and C., Liston, Macey, Mason, McBean, McCarty, Morris, Murray, Myers, Ray, Ristine, Stapp, Templeton, Thompson of Allen, Thompson of Johnson, Thompson of Lawrence, Vandevceer, Vawter, Walker of D., Walker of S., Watt, Whitman, and Smith, Speaker—49.

And so said bill was not indefinitely postponed.

The second amendment to said bill by striking out the 12th section and inserting in lieu thereof the following:

Sec. 12. That the canal fund commissioners, under the direction of the board of internal improvement, shall have power from time to time to make temporary loans to aid in the construction of any of the works of internal improvement contemplated in the act to which this is a supplement, either from the branches of the State Bank of Indiana or elsewhere, provided that no temporary loan shall be made at a higher rate of interest than six per centum per annum, nor shall any temporary loan be effected until said fund commissioners have made a permanent loan, and provided also, that said fund commissioners shall not be permitted to make a temporary loan of more than \$500,000;

Was read, and

A division of the question being called for, it was thereupon put on the first branch thereof, to-wit: on striking out and was decided in the affirmative.

Mr. Stapp moved to amend the proposed amendment by striking out the words "nor shall any temporary loan be effected until said fund commissioners have made a permanent loan, and by adding thereto the following: Until the permanent loan is effected;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Brown, Carnan, Chamberlain, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Hubbard, Huntington, Johnston, Kilgore, Lee of B., Lee of M. and C., Liston, Macey, Mason, McBean, McCarty, Morris, Myers, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of S., Watt, Whitman and Smith, Speaker—44.

And those who voted in the negative are,

Messrs. Armstrong, Bryan, Buell, Carr, Clark of Washington, Cole, Cushman, Edmonston, Eggleston, Harrow, Harris, Howard, Howell, Huckleberry, Jackson, Jones, Miller, Moore, Murray, Nave, Phelps, Posey, Smith, Steele, Walker of D., Willett, Wilson, and Zenor,—28.

And so said motion prevailed.

Mr. Armstrong then moved to amend said proposed amendment as follows:

Provided that no temporary loan shall be made for or applied to any of the works authorized by the act to which this is a supplement except for the prosecution of the Wabash and Erie Canal;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bryan, Buell, Carr, Cole, Cushman, Edmonston, Eggleston, Harrow, Harris, Howard, Howell, Huckleberry, Jackson, Miller, Phelps, Posey, Smith, Steele, Willett, Wilson, and Zenor—22.

And those who voted in the negative are,

Messrs. Bardwell, Bennett, Boone, Brown, Carnan, Chamberlain, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Macey, Mason, McBean, McCarty, Moore, Morris, Murray, Myers, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman and Smith, Speaker—47.

And so said amendment was not adopted.

Mr. Willett then moved to amend said proposed amendment by striking out "\$500,000" and insert in lieu thereof "not more than \$100,000 at any time, nor shall any single loan at one time and place, be effected for more than \$10,000;"

Which motion was lost.

And the question then recurring on inserting said proposed amendment, it was put,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Brown, Carnan, Chamberlain, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Macey, Mason, McBean, McCarty, Morris, Murray, Myers, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of S., Watt, Whitman, and Smith, Speaker—46.

And those who voted in the negative are,

Messrs. Armstrong, Bryan, Buell, Carr, Cole, Cushman, Edmonston, Eggleston, Harrow, Harris, Howard, Howell, Huckleberry, Jackson, Miller, Moore, Phelps, Posey, Smith, Steele Walker of D., Willett, Wilson, and Zenor—24.

And so said amendment was adopted.

Mr. Willett then moved to amend the proposed amendment to said bill as follows, to-wit:

That the Governor of this State, President of the Senate, and Speaker of the House of Representatives, shall at all times be ex-officio members and have a vote on all questions in the board of fund commissioners, but not be compelled to travel to effect loans, render accounts, or make reports to the legislature;

And the ayes and noes being requesten thereon by two members,

Those who voted in the affirmative are,

Messrs. Brown, Carr, Chamberlain, Clark of Washington, Dunning, Edmonston, Eggleston, Harris, Howard, Howell, Huckleberry, Jackson, Lee of B., Liston, Miller, Moore, Murray, Nave, Posey, Smith, Steele, Strain, Vandever, Whitman, Willett, Wilson, and Zenor—27.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Bryan, Buell, Carnan, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Edwards, Evans, Gregg, Hannaman, Harrow, Hubbard, Johnston, Jones, Kilgore, Lee of M. and C., Macey, Mason, McBean, McCarty, Morris, Myers, Ray, Ristine, Stapp, Templeton, Thompson of A., Thompson of J., Thompson of L., Vawter, Walker of D., Walker of S., Watt, and Smith, Speaker—42.

And so said motion did not prevail.

Mr. Smith then moved to amend the section of said proposed amendmend by striking out thereof the following:

The sufficiency of which for such redemption and payment the State of Indiana doth hereby irrevocably guarantee;

Which motion was lost.

And the question then recurring on concurring in the residue of said amendments, it was put;

And the ayes and noes being requested thereon by two members;

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Brown, Carnan Chamberlain, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Hubbard, Huntington, Johnston, Jones, Lee of B., Lee of M. and C., Liston, Macey, Mason, McBean, McCarty, Morris, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of S., Watt, Whitman, and Smith Speaker—43.

And those who voted in the negative are,

Messrs. Armstrong, Bryan, Carr, Clark of Washington, Cushman, Edmonston, Eggleston, Harrow, Harris, Howard, Howell, Huckleberry, Jackson, Kilgore, Moore, Murray, Nave, Phelps, Posey, Smith, Steele, Willett, Wilson, and Zenor—24.

And so said amendments were concurred in.

Mr. Evans moved that said bill be considered as engrossed and read the third time.

Mr. Smith moved to indefinitely postpone the further consideration of said bill; when,

Mr. Evans called for the previous question;

Which call was seconded by a majority of all the members present,

And the question was then put,

Shall the main question be now put?

And the ayes and noes being required thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Brown, Bryan, Carnan, Chamberlain, Clark of Wayne, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Gregg, Hannaman, Harrow, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Mason, McBean, McCarty, Morris, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, and Smith, Speaker—48.

And those who voted in the negative are.

Messrs. Armstrong, Carr, Cushman, Edmonston, Eggleston, Harris, Howard, Howell, Huckleberry, Jackson, Moore, Murray, Nave, Phelps, Posey, Smith, Steele, Willett, Wilson and Zenor—20.

And so said question was decided in the affirmative.

Whereupon,

The question was then put,
 Shall said bill be engrossed for the third reading?
 And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Brown, Carnan, Chamberlain, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Harrow, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. & C., Liston, Mason, McBean, McCarty, Morris, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, and Smith, Speaker—45.

And those who voted in the negative are,

Messrs. Armstrong, Bryan, Carr, Clark of Washington, Cushman, Edmonston, Eggleston, Harris, Howard, Howell, Huckleberry, Jackson, Miller, Moore, Nave, Phelps, Posey, Smith, Steele, Willett, Wilson, and Zenor—23.

And so said question was decided in the affirmative.

On motion of Mr. Evans,

Said bill was considered as engrossed, and read the third time;

And the question was then put,

Shall said bill pass?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Brown, Carnan, Chamberlain, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M., and C., Liston, Mason, McBean, McCarty, Morris, Ray, Ristine, Stapp, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker, of S., Watt, Whitman, and Smith, Speaker—42.

And those who voted in the negative are,

Messrs. Armstrong, Bryan, Carr, Clark of Washington, Cushman, Edmonston, Eggleston, Harrow, Harris, Howard, Howell, Huckleberry, Jackson, Miller, Moore, Murray, Nave, Phelps, Posey, Smith, Steele, Strain Willett, Wilson, and Zenor—25.

And so said bill passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

A Message from the Governor, by Mr. Ketcham, his private Secretary:

Mr. SPEAKER—

I am directed by his Excellency the Governor to inform the House of Representatives, that on the 1st February 1836, he approved the acts and joint resolution entitled as follows:

No. 89—An act to enable the school commissioners of the several counties of this state to correct the returns of the collectors;

No. 128—An act to amend an act entitled an act to incorporate the St. Joseph's Iron Company;

No. 48—An act to make the Knox county agricultural society a branch of the state agricultural society of Indiana;

No. 176—An act to authorize the location of a state road from the mouth of Eel river in Greene county to Bowlinggreen in Clay county;

No. 168—A joint resolution for the relief of James Scott;

On motion of Mr. Kilgore,

Resolved, That the assistant clerk of this House be authorized to employ such assistance as may be necessary, during the remainder of the session.

On motion of Mr. Dunning,

Resolved, That the committee on claims be directed to investigate the claim of James Fidler for four days services in repairing the Hall of the House of Representatives in December last.

Mr. Huckleberry, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bill of the following title, to wit:

No. 151—An act to incorporate the Eel river Steam mill Company; And find the same truly enrolled.

Whereupon,

The Speaker signed said bill.

Ordered, That the clerk carry it to the Senate for the signature of their President.

And the House adjourned.

TUESDAY, FEBRUARY 2, 1836.

The House met.

Mr. Dunning moved to re-consider the vote taken on the passage of the bill [No. 252] supplemental to an act passed at the present session of the General Assembly entitled an act to provide for a general system of internal improvement;

Which motion was decided in the affirmative.

Mr. Chamberlain moved to commit said bill to a select committee.

Mr. Bryan moved to amend the motion with instructions to amend the same by adding thereto the following proviso:

Provided that nothing in this act shall be so construed as to pledge or in any way interfere with the three per cent. fund.

Mr. Brown moved the previous question;

Which motion was seconded by a majority of all the members present,

And the question was thereupon put,

Shall the main question be now put?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Brown, Buell, Carnan, Chambers, Chiles, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Macey, Mason, McBean, McCarty, Morris, Myers, Ristine, Stapp, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Walker of S., Watt, Whitman, and Smith; Speaker—44.]

And those who voted in the negative are,

Messrs. Armstrong, Boone, Bryan, Carr, Chamberlain, Clark of Washington, Cole, Cushman, Edmonston, Eggleston, Harris, Howard, Howell, Huckleberry, Jackson, Miller, Moore, Murray, Nave, Phelps, Posey, Smith, Steele, Strain, Willett, and Zenor—26.

And so said motion was decided in the affirmative.

And the question was then put,

Shall said bill pass?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Brown, Buell, Carnan, Chamberlain, Clark of Wayne, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Evans, Gregg, Hannaman, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of B., Lee of M. and C., Liston, Macey, Mason, McBean, McCarty, Morris, Myers, Ray, Ristine, Stapp, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of S., Watt, Whitman, and Smith; Speaker—44.

And those who voted in the negative are,

Messrs. Armstrong, Boone, Bryan, Carr, Chambers, Chiles, Clark of Washington, Cole, Cushman, Edmonston, Eggleston, Harrow, Harris, Howard, Howell, Huckleberry, Jackson, Miller, Moore, Murray, Nave, Phelps, Posey, Smith, Steele, Strain, Willett, and Zenor—23.

And so said bill passed.

Mr. Huntington from the committee on education, having obtained leave, made the following report:

Mr. SPEAKER—

The committee on education to which was referred a bill of the Senate [No. 31], report the same to the House without amendment.

They also report various resolutions and papers heretofore referred to them back to the House, and ask to be discharged from their further consideration, deeming legislation thereon at this time unnecessary.

The annual report of the treasurer of state on the subject of lands and lots of non-residents, returned by the several collectors of taxes in this state, to school commissioners for the non-payment of taxes in the years 1832-3-4-5, which was referred to your committee, contains in their opinion, matter of importance, and they recommend that it be printed with the journals of this House:

Which was read and concurred in.

Mr. Mason moved to amend said bill of the Senate [No. 31] by adding as additional sections thereto, the following:

SEC. That all lands in each school district shall be liable for the taxes imposed by the act to which this is an amendment, whether the owner or owners of such lands reside in the district in which such lands are situated, or not.

SEC. That any township or sub-trustee who may hereafter be appointed, under the provisions of the act to which this is an amendment, who shall refuse to serve, shall pay a penalty of five dollars to be collected before any justice of the peace of the proper county and applied to the school fund of the township or district in which such trustee resides;

Which was read and negatived.

On motion of Mr. Huntington,

Said bill was read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Brown from the judiciary committee to which was referred the bill [No. 278] reported the same to the House without amendment;

When,

On motion of Mr. Carr,

The rules of the House were dispensed with, said bill considered as engrossed, read the third time and passed.

Ordered, That the same be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

On motion,

The House proceeded to consider the orders of the day.

On motion of Mr. Lee of B.,

The committee of the whole to which was referred the bill [No. 80] of the Senate, was discharged from the consideration thereof, when,

On motion of Mr. Dunning,

The rules of the House were dispensed with, said bill considered as engrossed, read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Kilgore moved to take from the table the bill [No. 196] regulating the jurisdiction and duties of justices of the peace in Delaware county;

Which motion was decided in the affirmative; when,

On motion,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Kilgore,

The title to said bill was amended by inserting after the word "Delaware" the word "Bartholomew."

The joint committee on enrolled bills report, that they have compared the engrossed with the enrolled bills that originated in the House of Representatives of the following titles, viz;

No. 122—An act to incorporate the Lafayette and Danville rail road company;

No. 74—An act to incorporate the Laporte canal and rail road company;

No. 84—An act to organize the county of Marshall;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

On motion of Mr. Jones,

The bill (No. 214) regulating the mode of doing county business in the counties of Daviess and Martin, was taken from the table; and,

On motion of Mr. Jones,

Considered as engrossed, read the third time, and passed; and,

On motion of Mr. Craig of M.,

The bill (No. 182) to allow additional compensation to officers of elections, was also taken from the table, considered as engrossed, read the third time, and passed.

Ordered, That they be entitled acts, and that the Clerk carry them to the Senate and ask their concurrence therein.

Mr. Morris presented the remonstrance of sundry citizens of the county of Marion, against a petition heretofore presented, praying an act authorizing Nicholas McCarty to construct a dam across White river;

Which was referred to the same select committee to which was referred said petition.

Mr. Johnston from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills which originated in the House of Representatives, of the following titles, to wit:

No. 169—An act for the formation of the county of Brown;

No. 198—An act to incorporate the New Albany Ferry Company;

And bills of the Senate of the following titles, to wit:

No. 65—An act dispensing with certain unnecessary oaths, now required of executors, administrators, and appraisers;

No. 86—An act for the relief Wilson Anderson:

No. 90—An act for the relief of John Dicken, and for other purposes; And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate for the signature of their President.

Mr. Huckleberry, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills, which originated in the House of Representatives of the following titles, to-wit:

No. 148—An act to incorporate the town of New Albany;

No. 155—An act for the relief of John G. Brown;

Also, an act which originated in the Senate, of the following title, viz:

No. 47—An act to incorporate the Logansport and Eel river bridge company;

Also, joint memorials and resolutions of the House, of the following titles, to wit:

No. 82—A joint resolution confirming the sale of certain Michigan road lands;

No. 193—A joint memorial and resolution to the Congress of the United States,

And find the same truly enrolled;

Whereupon, the Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their president.

On motion of Mr. Phelps, the committee of the whole to which was referred the bill of the Senate, No. 56, to amend an act entitled an act to regulate the mode of doing county business, in the several counties in this state, was discharged from the further consideration thereof, and

On motion, referred to a select committee of Messrs. Phelps and Howell; and a petition heretofore presented on the same subject, was also referred to the same select committee.

The engrossed bills of the House of Representatives No. 65, to authorize the appointment of a special county agent,

No. 78—Amendatory of an act entitled 'an act relative to county seminaries, approved February 4, 1831, and

No. 253—An act for the incorporation of the town of Knightstown, Were severally read the third time and passed.

Ordered, That they be entitled acts and that the clerk carry them to the Senate and ask their concurrence therein.

The engrossed bill, No. 211, for the survey of a turnpike road from Mount Vernon in Posey county, to Princeton, in Gibson county, was read the third time.

Mr. Ray moved to commit said bill to a select committee, with instructions to amend the same; by adding thereto the following proviso

Provided also, That said Board of Internal Improvement shall, during next summer, cause to be surveyed a route for a collateral canal or navigable feeder, from Richmond to Brownsville, in Union county; then down the East Fork of White-water, to intersect the White-water canal at Brookville;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bennett, Boone, Chamberlain, Clark of Wayne, Clark of Washington, Craig of M., Curtis, Cushman, Edwards, Eggleston, Hubbard, Huckleberry, Johnston, Kilgore, Macey, Mason, McCarty, Moore, Morris, Ray, Vawter, Watt, Willett, Zenor, and Smith, Speaker—25.

And those who voted in the negative are,

Messrs. Armstrong, Brown, Bryan, Carnan, Carr, Chambers, Chiles, Cole, Collins, Craig of P., Davis, Dunning, Edmonston, Evans, Gregg, Hannaman, Harrow, Harris, Howard, Howell, Huntington, Jackson, Jones, Lee of B., Lee of M. and C., Liston, McBean, Miller, Murray, Myers, Nave, Phelps, Posey, Ristine, Smith, Stapp, Steele, Strain, Templeton, Thompson of J., Thompson of L., Vandever, Walker of D., Walker of S., and Whitman—45.

And so said motion was decided in the negative.

And the question then recurring on the passage of the bill,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Boone, Brown, Carnan, Chambers, Clark of Washington, Collins, Craig of P., Davis, Dunning, Edmonston, Evans, Gregg, Howell, Huntington, Jackson, Johnston, Jones, Kilgore, Liston, Macey, McBean, McCarty, Miller, Morris, Murray, Myers, Phelps, Ristine, Stapp, Templeton, Thompson of A., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Whitman, Willett, and Zenor—41.

And those who voted in the negative are,

Messrs. Bennett, Bryan, Carr, Chamberlain, Chiles, Clark of Wayne, Cole, Craig of M., Curtis, Cushman, Edwards, Eggleston, Hannaman, Harrow, Harris, Howard, Hubbard, Lee of B., Lee of M. and C., Mason, Moore, Nave, Posey, Ray, Smith, Steele, Strain, Thompson of J., Watt and Smith, Speaker—30.

And so said bill passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

The engrossed bill [No. 224] to incorporate the town of New York, in Switzerland county, was read the third time; and

On motion of Mr. Eggleston, amended by consent, when said bill passed.

Ordered, That it be entitled an act and that the clerk inform the Senate thereof and ask their concurrence therein.

The engrossed bill, [No. 261,] was read the third time; and the question was then put, shall said bill pass?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Brown, Carnan, Chamberlain, Collins, Craig of M., Davis, Dunning, Eggleston, Evans, Gregg, Hannaman, Howard, Huckleberry, Huntington, Jackson, Johnston, Kilgore, Lee of B., Liston, Macey, Mason, McBean, McCarty, Morris, Myers, Posey, Ristine, Stapp, Thompson of A., Thompson of L., Walker of D., Walker of S., Whitman, Willett, Zenor and Smith, Speaker—36.

And those who voted in the negative are,

Messrs. Bennett, Bryan, Carr, Chiles, Clark of Wayne, Clark of Washington, Cole, Craig of P., Curtis, Cushman, Edmonston, Edwards, Harrow, Harris, Howell, Hubbard, Jones, Lee of M. and C., Miller, Moore, Murray, Nave, Phelps, Ray, Smith, Steele, Strain, Thompson of J., Vandever, Vawter, and Watt—30.

And so said bill passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

And the House adjourned until 1 o'clock P. M.

1 o'clock, P. M.

The House met.

Mr. Vawter, from the committee of Ways and means to which was referred a resolution on that subject, reported

A bill [No. 290] allowing the Secretary, Auditor, and Treasurer of State, to pay for clerk hire;

Which was read the first time, and passed to a second reading on tomorrow.

Mr. Brown from a select committee, (having obtained leave,) made the following report.

The select committee to whom was referred the petition of William H. Moody and others, in relation to the State road from Lafayette to Michigan city, have had the same under consideration, and as the wishes and prayer of the petitioners will be answered by a bill now before the House, incorporating a company for bridging the Kankakee, ask the House to be discharged from the further consideration of the petition;

Which was read and concurred in.

Mr. SPEAKER—

The judiciary committee to which was referred a bill [No. 279] to incorporate the Bethlehem Savings Institution; a bill from the Senate No. 80, entitled an act authorizing the appointment of testamentary guardians; and a bill from the Senate, No. 47, entitled "an act supplemental to an act regulating the practice in chancery, approved January 10, 1831, have had the same under consideration, and have instructed me to report the same, the first with, and the others without amendments.

The amendment of the committee to the bill [No. 279] was concurred in, and

On motion, said bill was considered as engrossed, read the third time, and passed.

And the bills Nos. 97 and 80, of the Senate, were severally read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Hannaman, from the select committee to which was referred a petition on that subject, reported

A bill [No. 291] to authorize the recorder of Boone county, to record the plat of Jamestown; and

Mr. Vawter having obtained leave, also presented

A bill [No. 292] to incorporate the Vernon Savings and Insurance Institution;

Which were severally three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That they be intitled acts, and that the clerk carry them to the Senate and ask their concurrence therein.

Mr. Craig of P., having obtained leave, presented a bill [No. 294] to incorporate the Evansville Insurance Company;

Which was twice read (the rules of the House being dispensed with) and

On motion, committed to the judiciary committee.

Mr. Ristine, having obtained leave, presented

A bill [No. 295] to record and incorporate Wilson's addition to the town of Crawfordsville;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Ray, from the committee on the affairs of the town of Indianapolis, to which was referred the bill No. 187, to authorize the State to make a deed to a certain lot near Indianapolis, to Wilks Reagin, reported the same to the House, with one amendment;

Which was concurred in.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Wilson, from the committee of Ways and Means, to which was referred a resolution on that subject, reported

A bill No. 297, for the appointment of a state printer, and defining his duties;

Which was twice read (the rules of the House having first been dispensed with,) and

On motion, referred to a committee of the whole.

Mr. Wilson, from the committee of ways and means, also made the following report:

Mr. SPEAKER—

The committee of Ways and means to which was referred sundry resolutions in regard to specific appropriations, have had the same under their consideration, and have directed me to report

A bill making specific appropriations for the year 1836.

Which said bill No. 296, was twice read, and

On motion, the House then resolved itself into committee of the whole thereon; and after some time spent therein, the Speaker resumed the chair, when

Mr. Buell reported progress, and asked leave to sit again,

Which leave was granted by the House.

On motion of Mr. Huntington, the House again resolved itself into committee of the whole on said bill, No. 296, making specific appropriations for the year 1836; and after some time spent therein, the Speaker resumed the chair, when

Mr. Huntington reported said bill to the House with sundry amendments.

The first amendment,

On motion of Mr. Stapp, was amended, and then concurred in;

Mr. Stapp moved to amend the second amendment to said bill, by inserting in lieu thereof the following, viz:

“That George Gorham and Pike Hand, assistant doorkeepers of the House of Representatives, be allowed for their services as such, the first \$1 50, and the second \$1 25 per day, for each day they have respectively been employed during the present session of the General Assembly.

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Brown, Bryan, Buell, Carnan, Chamberlain, Chambers, Chiles, Clark of Wayne, Cole, Collins, Curtis, Cushman, Davis, Edwards, Eggleston, Gardner, Gregg, Hannaman, Harris, Howard, Howell, Hubbard, Huntington, Johnston, Jones, Kilgore, Lee of Bartholomew, Liston, Macey, Mason, McBean, McCarty, Miller, Morris, Myers, Phelps, Ray, Ristine, Stapp, Steele, Templeton, Thompson of Allen, Thompson of Johnson, Thompson of Lawrence, Vawter, Walker of D., Walker of S., Whitman, Willett, Wilson, Zenor, and Smith, Speaker—53.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Boone, Carr, Clark of Washington, Craig of M., Craig of P., Dunning, Edmonston, Harrow, Huckleberry, Jackson, Lee of M. and C., Moore, Murray, Nave, Posey, Smith, Strain, Vandever, and Watt—21.

And so said amendment was adopted.

Mr. Stapp moved to amend the third amendment, which is as follows:

That after the first Monday of August, 1836, each member of the General Assembly shall be paid three dollars per day for each day's attendance, and ten cents per mile for each mile in going to and returning from the Capitol, by adding thereto the following:

That the supreme and circuit judges each be allowed a salary of \$1,000 per annum, to commence on the first day of April next;

Which was decided in the negative.

And the question then recurring on concurring in the said third amendment,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Brown, Chamberlain, Chambers, Clark of Wayne, Curtis, Gardner, Hannaman, Huckleberry, Huntington, Kilgore, Lee of B., Liston, McBean, Ray, Thompson of L., Whitman, Willett, Wilson, and Zenor—19.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Bryan, Buell, Carman, Carr, Chiles, Clark of Washington, Cole, Craig of M., Craig of P., Cushman, Davis, Dunning, Edmonston, Edwards, Eggleston, Gregg, Harrow, Harris, Howard, Howell, Hubbard, Jackson, Johnston, Jones, Lee of M. and C., Macey, Mason, McCarty, Miller, Moore, Morris, Murray, Myers, Nave, Phelps, Posey, Ristine, Smith, Stapp, Steele, Strain, Templeton, Thompson of A., Thompson of J., Vandever, Vawter, Walker of D., Walker of S., Watt, and Smith, Speaker—54.

And so said amendment was not concurred in.

The 4th, 5th, 6th, and 7th amendments were then concurred in by the House.

Mr. Thompson of L. moved to amend said bill by adding thereto the following as an additional section, to-wit:

SEC. That the Governor of Indiana shall, after the expiration of the term of service of the present incumbent, receive the sum of fifteen hundred dollars per annum for his services; and the judges of the supreme court each the sum of one thousand dollars per annum;

Mr. Kilgore moved to amend said proposed amendment by inserting the words "and circuit" after the word "supreme;"

And the ayes and noes being requested thereon by two members;

Those who voted in the affirmative are,

Messrs. Brown, Buell, Carr, Chamberlain, Craig of M., Eggleston, Gardner, Kilgore, Liston, Macey, Mason, Posey, Stapp, Thompson of A., Thompson of L., Willett, and Smith, Speaker—17.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Boone, Bryan, Carnan, Chambers, Chiles, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of P., Curtis, Cushman, Davis, Dunning, Edmonston, Edwards, Gregg, Hannaman, Harrow, Harris, Howard, Howell, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Jones, Lee of B., Lee of M. and C., McBean, McCarty, Miller, Moore, Morris, Murray, Myers, Nave, Phelps, Ray, Ristine, Smith, Steele, Strain, Thompson of J., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, and Zenor—54.

And so said motion did not prevail.

And the question then recurring on the amendment proposed by Mr. Thompson of L.,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Brown, Chamberlain, Eggleston, Gardner, Huntington, Kilgore, Lee of B., Liston, Macey, Mason, Myers, Ray, Thompson of L., Walker of S., and Willett—15.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Boone, Bryan, Buell, Carnan, Carr, Chambers, Chiles, Clark of Wayne, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Edmonston, Edwards, Gregg, Hannaman, Harrow, Harris, Howard, Howell, Hubbard, Huckleberry, Jackson, Johnston, Jones, Lee of M. and C., McBean, McCarty, Miller, Moore, Morris, Murray, Phelps, Posey, Ristine, Stapp, Steele, Templeton, Thompson of A., Thompson of J., Vandever, Vawter, Walker of D., Watt, Whitman, Zenor, and Smith, Speaker—53.

And so said amendment was negatived.

On motion of Mr. Thompson of A.,

Said bill was further amended; and,

On motion of Mr. Dunning,

The rules of the House were dispensed with, said bill considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Kilgore, having obtained leave, presented a bill [No. 298] to au-

thorize Amasy^lMakepeace to apply for a writ of *ad quad damnum*, to establish a mill on White river in Madison county;

Which was twice read (the rules of the House having first been dispensed with.)

Mr. Clark of Washington moved to indefinitely postpone said bill; Which motion was lost.

On motion of Mr. Kilgore,

The rules of the House were further dispensed with, said bill considered as engrossed and read the third time;

And on the question,

Shall said bill pass?

Those who voted in the affirmative are,

Messrs. Bennett, Boone, Bryan, Buell, Carnan, Carr, Chamberlain, Chambers, Clark of Wayne, Cole, Collins, Curtis, Cushman, Davis, Dunning, Gregg, Hannaman, Harrow, Howard, Hubbard, Huckleberry, Jackson, Johnston, Kilgore, Lee of B., Mason, McBean, McCarty, Miller, Moore, Murray, Myers, Phelps, Posey, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Walker of D., Walker of S., Watt, Whitman, Willett, Zenor, and Smith, Speaker—50.

And those who voted in the negative are,

Messrs. Bardwell, Brown, Clark of Washington, Edwards, Howell, Huntington, Lee of M. and C., Macey, Moore, and Vawter—10.

And so said bill passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Howell, having obtained leave, presented

A bill [No. 299] authorizing a survey of a clay turnpike road from Rockport *via* Jasper to Washington in Daviess county;

Mr. Kilgore moved to amend said bill; when,

On motion of Mr. Stapp,

Said bill was laid on the table,

On motion of Mr. Willett,

The House resolved itself into the committee of the whole to which was referred the bill [No. 297] for the appointment of a state printer and defining his duties,

And after some time spent therein,

The Speaker resumed the Chair, and

Mr. Thompson of L., reported the same bill to the House with snndry amendments, in which he asked the concurrence of the House.

Mr. Willett moved to re-commit said bill to the committee of ways and means, with instructions to amend the first section as follows:

That there shall be elected at the commencement of each session of the General Assembly, a printer by each House; and provide by the other sections, that the duties of printing the laws and journals shall be

divided, and adequate securities given for the discharge of their duties.

Mr. Bryan moved to indefinitely postpone said bill and appending amendments;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bryan, Carnan, Craig of P., Cushman, Edmonston, Eggleston, Howell, Liston, Macey, McBean, Miller, Moore, Posey, Smith, Steele, Vawter, and Willett—17.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Buell, Carr, Chamberlain, Chambers, Clark of Wayne, Clark of Washington, Collins, Craig of M., Curtis, Davis, Edwards, Gregg, Harrow, Harris, Howard, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Lee of B., Lee of M. and C., Mason, McCarty, Murray, Phelps, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Walker of D., Walker of S., Watt, Zenor, and Smith Speaker—42.

And so said bill was not postponed.

And the question on Mr. Willett's amendment, was then put and negatived.

The amendments of the committee of the whole thereto, were then concurred in; when,

On motion of Mr. Huntington,

Said bill was considered as engrossed and read the third time;

And on the question,

Shall said bill pass?

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Brown, Buell, Chamberlain, Chambers, Clark of Wayne, Collins, Craig of M., Curtis, Davis, Dunning, Gregg, Harrow, Hubbard, Huckleberry, Huntington, Johnston, Lee of B., Lee of M. and C., Liston, Mason, McCarty, Morris, Murray, Ray, Ristine, Stapp, Templeton, Thompson of A., Thompson of J., Thompson of L., Walker of D., Walker of S., Whitman, Zenor, and Smith, Speaker—37.

And those who voted in the negative are,

Messrs. Bennett, Boone, Bryan, Carnan, Carr, Clark of Washington, Craig of P., Cushman, Edmonston, Edwards, Eggleston, Harris, Howard, Howell, Jackson, Macey, McBean, Miller, Moore, Phelps, Posey, Smith, Strain, Vandever, Vawter, Watt, and Willett—27.

And so said bill passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Huckleberry from the joint committee on enrolled bills, report-

ed that they have compared the enrolled with the engrossed bills which originated in the Senate of the following titles, to wit:

No. 73—An act to facilitate the apprehension of fugitives from justice;

No. 81—An act to locate a state road from Montezuma in Parke county to the state line in the direction of Hickory Grove in Edgar county, Illinois;

No. 82—An act to change a part of a certain state road therein named;

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their president.

Mr. Walker of S. presented the petition of sundry citizens of Shelby county, praying a repeal of a part of the law regulating the jurisdiction and duties of justices of the peace;

Which was read; and,

On motion of Mr. Walker of S.,

Referred to the judiciary committee.

The Speaker laid before the House a report of the canal fund commissioners, on the subject of the financial concerns thereof;

Which was read and referred to the joint committee on the canal fund; and,

On motion of Mr. Willett,

Ordered, To be printed.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed bills of the Senate of the following titles, to wit:

No. 103—An act to incorporate the Fulton company;

No. 107—An act to incorporate the Lagrange county manufacturing company;

No. 108—An act to authorize certain individuals therein named to build a bridge over the Kankakee river;

No. 109—An act to provide for the election of a justice of the peace in or near Milroy, in Rush county;

No. 110—An act to amend an act entitled an act incorporating congressional townships and providing for public schools therein;

Also engrossed bills &c. from the House of Representatives of the following titles without amendment, to-wit:

No. 188—An act to appropriate a part of the 3 per cent. fund, and for other purposes;

No. 194—An act to incorporate the Hanover steam mill company;

No. 218—An act to authorize the payment of expenses incurred in suppressing a riot on the Wabash and Erie canal;

No. 149—A joint resolution on the subject of providing compensation to the United States' rangers, raised under the act of Congress of June, 1832, for horses lost by them whilst in the service;

No. 221—A joint resolution on the subject of furnishing such new counties as may hereafter be organized, with the laws of this state;

No. 234—An act to change the time of holding the commissioner's court of the county of Delaware;

No. 170—An act incorporating the town of Milton in Wayne county;

In which bills of the Senate, the concurrence of the House of Representatives is requested.

The engrossed bills of the Senate named in said message, Nos. 103, 107, and 108;

Were severally twice read (the rules of the House having first been dispensed with), and

On motion,

Referred to the judiciary committee.

The engrossed bill [No. 109] of the Senate therein named;

Was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof.

The engrossed bill of the Senate [No. 110] named in the message,

Was twice read (the rules of the House having first been dispensed with,) and

On motion,

Committed to the committee on education.

On motion of Mr. Huntington,

The joint resolution [No. 163] on the subject of a geological and topographical survey of the state, was taken up, and,

On motion of Mr. Huntington,

Amended, and,

On his further motion,

Considered as engrossed, read the third time and passed.

Ordered, That the clerk inform the Senate thereof and ask their concurrence therein.

And the House adjourned.

WEDNESDAY, FEBRUARY 3, 1836.

The House met.

Mr. Eggleston, from the judiciary committee to which was referred the engrossed bill of the Senate, No. 69, to incorporate the Peru and Wabash Bridge Company, reported the same back to the House with an amendment, which was concurred in by the House.

On motion, said amendment was considered as engrossed, and with the bill, read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Stapp, from the judiciary committee, made the following report:

Mr. SPEAKER—

The judiciary committee to which was referred a resolution relative to the inspection of salt, beef, flour, and tobacco,

To amend the law regulating ferries,

Relative to the duty of prison keepers,

Relative to giving further relief to replevy bail, when the principal is about to abscond,

Relative to extending the prison bounds; also

The report of D. McDonald, prosecuting attorney, relative to the Wabash Insurance Company; also

The petition of Olive H. Kelley, praying for a divorce from her husband Roseman R. Kelley; also

The petition of John Jamison and others, praying that there may be prosecuting attorneys appointed in each county, have had the same under consideration, and have directed me to report, that it is inexpedient at this time to legislate on the same, and ask to be discharged from the further consideration thereof.

Which said report was concurred in by the House.

Mr. Craig of P., from the judiciary committee, to which was referred the bill No. 293, to incorporate the Evansville insurance company, reported the same back to the House, without amendment;

When,

On motion,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and the clerk carry it to the Senate and ask their concurrence therein.

Mr. Vawter from the committee on roads made the following report:

The committee on roads to which was referred sundry petitions of citizens of Lagrange, Elkhart, and other northern counties, praying the location of state roads through the northern tier of counties, with appropriations of money on the same, for the opening and improving the same, under consideration, and the committee have directed me to report, that legislation at this time, on the subject of said petitions, is inexpedient;

Which was read and concurred in.

Mr. Vawter, from the same committee, also made the following report:

The committee on roads to which was referred a bill of the House No. 275, for the relief of Benjamin McCarty, have had the same under consideration, and report the same back without amendment, but be-

lieve it ought not to pass, as it will open a door for great dissatisfaction with every other purchaser, where his or their tract of land does not contain the number of acres returned by the authorized surveyor of the General Government, and it is believed that the General Government has not in one single instance, granted relief, in a similar case, although often called on: and for this very reason, the surveys are all made long before the lands are offered for sale, which affords purchasers the opportunity to survey and measure all lands individuals may wish to purchase, long before the day of sale; hence fraud cannot be said to attach.

The question was then put, shall said bill, No. 275, be engrossed for a third reading,

And decided in the negative.

Mr. Vawter from the same committee, also made the following report:

The committee on roads to which was referred a bill of the House, No. 223, on the subject of opening and repairing roads, have had the same under consideration. Also sundry resolutions on the same subject, and report the bill back without amendment, and recommend that it be laid on the table, as also the several resolutions. The committee ask to be discharged from all further business in relation to roads during the present session of this General Assembly;

Which said report was concurred in by the House, and said bill, No. 225, therein named, was laid on the table.

Mr. Thompson of L., from the committee on the State Bank, made the following report:

Mr. SPEAKER—

The committee on the State Bank to whom was referred the resolution of the House, instructing them to inquire into the expediency of reducing the damages on bills of exchange, have directed me to report that it is inexpedient to legislate on that subject at this time, and ask to be discharged from the further consideration thereof;

Which was read and concurred in by the House.

Mr. Morris presented a bill No. 300, to authorize an additional justice of the peace, in Franklin township. Marion county; and

Mr. Johnston also presented a bill [No. 301] to authorize the board doing county business of the county of Franklin, to lay off a street in the town of Brookville, in said county;

Which were severally three times read and passed, (the rules of the House having first been dispensed with)

Ordered, That they be entitled acts and that the clerk carry them to the Senate and ask their concurrence therein.

Mr. Thompson of A., presented a bill [No. 302] for the relief of Elias Murray;

Which was twice read (the rules of the House having first been dispensed with,) and

On motion, committed to a select committee of Messrs. Edwards, Thompson of A., and Chamberlain.

M. Bennett presented a bill [No. 303] to authorize the survey of a turnpike road from Greenfield in Hancock county *via* Rushville, Connersville, and Brownsville, to Liberty in Union county;

Which was read the first time and passed to a second reading on to morrow.

Mr. Brown from the judiciary committee to which was referred the engrossed bills of the Senate [No. 108] to authorize certain individuals therein named to build a toll bridge over the Kankakee river, and [No. 103] to incorporate the Fulton Company, reported said bills back to the House without amendment; when

On motion, said bills were read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Jackson from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills which originated in the House of Representatives of the following titles, to wit:

No. 75—An act concerning guardians;

No. 154—An act to provide for cancelling and entering satisfaction of mortgages;

No. 210—An act to appropriate a part of the 3 per cent. fund in the county of Orange and for other purposes.

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Johnston from the committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills of the House of the following titles, to-wit:

No. 212—An act to amend the several acts for the promotion of schools and education in Clark's Grant;

No. 69—An act for the relief of James H. King, recorder of Monroe county;

No. 42—An act to authorize the service of subpoenas by copy;

No. 137—An act to legalize the proceedings of Rezin Malott, a road commissioner;

No. 32—An act to amend an act entitled an act regulating divorces, approved Jan. 17, 1831;

No. 102—An act to amend an act for the relief of the poor, approved Feb. 10, 1831;

No. 57—A joint resolution on the subject of the survey of a rail road route from Charlestown in South Carolina to some suitable point on the Ohio river in Ohio or Indiana;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Strain presented

A bill [No. 304] supplemental to an act establishing as a state road, the county road from Livonia to George Beck's, approved January 30, 1836;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

The House then proceeded to consider the orders of the day.

The engrossed bill of the Senate [No. 64] for the relief of Elizabeth Nowland, widow of Matthias Nowland, deceased, was read the second and third times, (the rules of the House having been dispensed with.)

And the question was then put,

Shall said bill pass?

And the ayes and noes being required thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Buell, Carnan, Chambers, Chiles, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Eggleston, Evans, Gardner, Gregg, Harrow, Howard, Howell, Hubbard, Jackson, Johnston, Jones, Lee of M. and C., Macey, Mason, McBean, McCarty, Miller, Moore, Morris, Myers, Phelps, Ray, Ristine, Smith, Stapp, Steele, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, Willett, Zenor, and Smith, Speaker—58.

And those who voted in the negative are.

Messrs. Armstrong, Bryan, Carr, Cushman, Edmonston, Lee of B., and Posey—7.

And so said bill passed.

Ordered, That the clerk inform the Senate thereof.

The bill [No. 217] to amend the act entitled an act to regulate the jurisdiction and duties of justices of the peace, was read the second time.

On motion of Mr. Johnston,

Said bill was amended by striking out thereof so much as relates to the special acts regulating the jurisdiction and duties of justices of the peace; when,

On motion of Mr. Ray,

The rules of the House were dispensed with, said bill considered as engrossed, read a third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

The bill [No. 285] supplemental to an act entitled an act to provide for a general system of internal improvement, was read the second time.

Mr. Vandever moved to commit said bill to the committee on canals and internal improvements;

Which motion did not prevail,

Mr. Moore moved to strike out of said bill the appropriation of one hundred thousand dollars.

Mr. Vandever then moved to indefinitely postpone said bill;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bryan, Buell, Carnan, Chambers, Chiles, Cole, Craig of M., Eggleston, Harrow, Jones, Lee of M. & C. Liston, Mason, McCarty, Murray, Myers, Posey, Ray, Ristine, Stapp, Steele, Thompson of A., Thompson of J., Vandever, and Smith, Speaker—25.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Brown, Carr, Clark of Wayne, Clark of Washington, Collins, Craig of P., Curtis, Cushman, Davis, Dunning, Edmonston, Edwards, Evans, Gardner, Gregg, Harris, Howard, Howell, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Kilgore, Lee of B., Macey, McBean, Miller, Moore, Morris, Phelps, Strain, Thompson of L., Vawter, Walker of S., Watt, Whitman, Willett, and Zenor—43.

And so said bill was not indefinitely postponed.

And the question then recurring on the question of Mr. Moore to amend,

It was put and decided in the affirmative.

Mr. Posey then moved to lay said bill on the table;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Boone, Bryan, Buell, Carnan, Chambers, Chiles, Clark of Wayne, Cole, Craig of M., Curtis, Eggleston, Harrow, Hubbard, Jones, Lee of M., and C., Liston, Mason, McCarty, Morris, Murray, Myers, Posey, Ray, Ristine, Stapp, Steele, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, and Smith, Speaker—32.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Brown, Carr, Clark of Washington, Collins, Craig of P., Cushman, Davis, Dunning, Edmonston, Edwards, Evans, Gardner, Gregg, Harris, Howard, Howell, Huckleberry, Huntington, Jackson, Johnston, Lee of B., Macey, McBean, Miller, Moore, Phelps, Strain, Walker, of S., Watt, Whitman, Willett, and Zenor—35.

And so said bill was not laid on the table.

Mr. Vandever then moved to indefinitely postpone the same;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bennett, Boone, Bryan, Buell, Carnan, Chamberlain, Chambers, Chiles, Clark of Wayne, Cole, Craig of M., Curtis, Edwards, Eggleston, Gregg, Hannaman, Harrow, Hubbard, Jones, Lee of B., Lee of M. and C., Liston, Mason, McCarty, Murray, Myers, Posey, Ray, Ristine, Stapp, Steele, Thompson of Alien, Thompson of Johnson, Thompson of Lawrence, Vandever, Vawter, and Smith, Speaker—37.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Brown, Carr, Clark of Washington, Collins, Craig of P., Cushman, Edmonston, Evans, Gardner, Harris, Howard, Howell, Huckleberry, Huntington, Jackson, Johnston, Kilgore, Macey, McBean, Miller, Moore, Morris, Phelps, Strain, Walker of S., Whitman, Willett, and Zenor—29.

And so said bill was indefinitely postponed.

Mr. Smith, having obtained leave, introduced a bill [No. 305] to incorporate the Princeton and Wabash rail road company;

Which was twice read (the rules of the House having first been dispensed with,) and

On motion,

Referred to the judiciary committee.

A Message from the Senate by Mr. Morrison their principal Secretary:
Mr. SPEAKER—

The Senate has concurred in the amendment of the House of Representatives to the engrossed bill of the Senate,

No. 22—Entitled an act to amend the act entitled an act regulating the taking up of animals going astray and water craft and other articles of value going adrift, approved Feb. 7, 1835.

And has passed engrossed bills from the House of Representatives, entitled as follows, viz:

No. 145—An act to revive and amend an act entitled an act to provide for the sale of certain lands therein named, app'd. Feb. 2, 1833;

No. 215—An act to organize the county of Noble;

No. 236—An act providing for holding the circuit courts in the 8th judicial circuit;

No. 237—An act to change the name of Middleton in the county of Tippecanoe to West Point;

No. 228—An act appropriating so much of the 3 per cent. fund as is now due to Greene county;

No. 251—An act to amend an act entitled an act to prevent the sale of ardent spirits to the Indians, approved February 3, 1832;

Without amendment.

Mr. Moore having obtained leave, presented

A bill [No. 306] to amend the act entitled an act to establish a state road from Martinsville in Morgan county via Middletown in Owen county, to John Chance's ferry on Eel river, thence to Hayne's old cabin in Vigo county; and,

Mr. Huntington having obtained leave, also presented

A bill [No. 307] to establish a state road west of the Wabash river in Vigo county;

Which were severally read three times and passed, (the rules of the House having first been dispensed with.)

Ordered, That they be entitled acts and that the clerk carry them to the Senate and ask their concurrence therein.

The bill [No. 227] to amend an act regulating distress for rent, approved Feb. 1, 1831;

Was read the second and third times and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

The bill [No. 239] extending the credit of the state to the Ohio and Indianapolis rail road company was read the second time, and,

On motion of Mr. Armstrong,

Amended by adding thereto an additional section.

Mr. Vawter moved to amend the 9th section of said bill by striking out the word "Columbus" and insert "Vernon;"

Which motion was decided in the negative.

On motion of Mr. Ray,

Said bill was further amended by striking out of the first section thereof the words "two hundred and fifty thousand" and insert "one hundred thousand."

Mr. Stapp moved to indefinitely postpone the further consideration of said bill;

And before the question thereon was had,

The House adjourned.

1 o'clock, P. M.

The House met.

On motion,

The bill [No. 239] pending before the House when it adjourned this morning, was laid on the table.

Mr. Huntington from the judiciary committee to which was referred the bill [No. 305] to incorporate the Princeton and Wabash rail road company, reported the same back to the House without amendment;

When,

On motion,

The rules of the House were dispensed with, said bill considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

The bill [No. 340] to authorize the survey of a rail road route from

Indianapolis through Logansport to Michigan City, was read the second time, and,

On the question, shall said bill be engrossed?

It was decided in the negative.

The bill [No. 239] extending the credit of the state to the Ohio and Indianapolis rail road company, was taken from the table;

And the question then recurring on the motion of Mr. Stapp to indefinitely postpone the same,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bennett, Boone, Carnan, Chamberlain, Chambers, Chiles, Craig of M., Eggleston, Harrow, Jones, Lee of M. and C., Liston, Murray, Posey, Ristine, Stapp, Templeton, Thompson of J., Thompson of L., and Vandever—21.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Brown, Bryan, Buell, Carr, Clark of Wayne, Clark of Washington, Cole, Collins, Curtis, Cushman, Davis, Dunning, Edmonston, Edwards, Evans, Gardner, Gregg, Harris, Howard, Howell, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Kilgore, Lee of B., Macey, Mason, McBean, McCarty, Miller, Moore, Morris, Phelps, Ray, Steele, Strain, Vawter, Walker of D., Walker of S., Watt, Whitman, Willett, Wilson, Zenor, and Smith, Speaker—46.

And so said bill was not indefinitely postponed.

Mr. Vawter then moved to amend said bill as follows:

That before the Ohio and Indianapolis Rail road Company shall be entitled to the benefit of the loan authorized by this act, said company shall enter on their books, that said company recognize the right of any company now organized, or hereafter to be organized, to construct a lateral rail road, as a branch of said Ohio and Indianapolis rail road, commencing at or near where said Ohio and Indianapolis rail road crosses the Vernon fork of the Muskakatack river; thence on the best line of survey to a point on the Madison, Indianapolis, and Lafayette rail road, at or near James McCall's in Jefferson county:

Which was decided in the negative.

On motion of Mr. Armstrong,

The rules of the House were dispensed with, said bill considered as engrossed, read the third time and passed.

Ordered, That the same be entitled an act, and that the Clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Lee of L.,

The vote, on engrossing the bill No. 240, was to authorize the survey of a rail road route from Indianapolis through Logansport to Michigan City, was reconsidered;

And the question then recurring; shall said bill be engrossed, and read the third time to-morrow?

And the ayes and nays being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Brown, Carr, Chamberlain, Davis, Evans, Howell, Huckleberry, Jackson, Lee of B., Liston, McBean, Moore, Morris, Phelps, Ristine, Stapp, Thompson of L., Vawter, Walker of D., Walker of S., Watt, Whitman, Willett, Wilson and Zenor—26.

And those who voted in the negative are,

Messrs. Bardwell, Bennett, Boone, Bryan, Buell, Carnan, Chambers, Chiles, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of M., Curtis, Cushman, Dunning, Edwards, Eggleston, Gregg, Harrow, Harris, Howard, Hubbard, Huntington, Johnston, Jones, Macey, Mason, McCarty, Murray, Myers, Posey, Ray, Smith, Strain, Templeton, Thompson of J., Vandever, and Smith, Speaker—39.

And so said question was decided in the negative.

The bill [No. 241] supplemental to an act entitled "an act to provide for a general system of internal improvement, approved January 1836, Was read the second time.

Mr. Evans moved to amend said bill, as to make Princeton a point.

Mr. Vandever moved that said bill be indefinitely postponed; when

Mr. Willett moved the previous question, which was seconded by a majority of all the members present. And the question was then put, Shall the main question be now put?

And decided in the affirmative.

Whereupon, the question was then put—

Shall said bill be engrossed for a third reading?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Brown, Carr, Clark of Wayne, Collins, Craig of P., Cushman, Dunning, Edmonston, Evans, Hannaman, Harris, Howell, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Kilgore, Lee of B., Macey, McBean, McCarty, Miller, Moore, Morris, Phelps, Strain, Thompson of A., Thompson of J., Thompson of L., Vawter, Walker of S., Whitman, Willett, Wilson and Zenor—37.

And those who voted in the negative are,

Messrs. Bennett, Boone, Bryan, Buell, Chamberlain, Chiles, Clark of Washington, Cole, Craig of M., Curtis, Edwards, Eggleston, Gregg, Harrow, Howard, Jones, Lee of M. and C., Liston, Mason, Murray, Myers, Posey, Ray, Ristine, Stapp, Templeton, Vandever, Walker of D., Watt, and Smith, Speaker—29.

And so said bill was ordered to be engrossed.

On motion of Mr. Huntington, the rules were dispensed with, said bill considered as engrossed, read the third time.

And the question was then put,

Shall said bill pass?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Brown, Carr, Clark of Wayne, Clark of Washington, Collins, Craig of P., Cushman, Dunning, Edmonston, Evans, Gregg, Hannaman, Harris, Howell, Hubbard, Huckelberry, Huntington, Jackson, Johnston, Lee of B., Macey, McBean, McCarty, Miller, Mrore, Morris, Phelps, Ray, Smith, Strain, Thompson of A., Thompson of L, Vawter, Walker of D., Walker of S., Whitman, Willett, Wilson and Zenor—39.

And those who voted in the negative are,

Messrs. Bennett, Bryan, Buell, Carnan, Chiles, Craig of M., Curtis, Edwards, Harrow, Howard, Jones, Lee of M. and C., Liston, Macey, Murray, Myers, Posey, Ristine, Stapp, Templeton, Vandever, Watt and Smith, Speaker—23.

And so said bill passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

A message from the Senate by Mr. Morrison, their principal Secretary:

MR. SPEAKER—

The Senate has passed engrossed bills of the Senate, of the following titles, viz:

No. 77—An act in relation to certain sections of the Wabash and Erie canal;

No. 112—An act to amend the several laws relative to domestic and foreign attachment;

No. 115—An act to vacate a part of the Mooresville, Danville, and Crawfordsville state road;

Also an engrossed bill from the House of Representatives, entitled No. 127—An act to incorporate the Miami Bridge company, with an amendment;

In which bills of the Senate and in the amendments of the Senate to the bill of the House, the concurrence of the House of Representatives is requested.

The engrossed bills of the Senate, Nos. 77, 112 and 115, named in said message:

Were severally three times read, (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof.

The amendment of the Senate to the bill of the House [No. 127] named in said message, was concurred in by the House.

Ordered, That the clerk inform the Senate thereof.

On motion of Mr. Lee of B.,

The bill [No. 113] to extend the provisions of an act therein named, to Bartholomew county, was taken from the table, read the third time and passed.

Ordered, That it be entitled an act and that the clerk inform the Senate thereof and ask their concurrence therein.

The bill [No. 242] to abolish the office of Agent of State for Indianapolis, and for the sale of certain lots therein, was read the second time,

Mr. Willett moved to amend said bill by striking out of the 6th section, so much as relates to the sale of twenty-seven acres;

Which motion carried.

Ordered, That said bill be engrossed and read the third time tomorrow.

The engrossed bills of the Senate No. 75 to amend an act entitled an act for the promotion of schools, and for the sale of lands belonging to the Vincennes donation tract, approved Feb. 7, 1835; and,

No. 93—To locate a state road in Posey county;

Were severally read the second and third times and passed, (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof.

The bill [No. 290] allowing the Secretary, Auditor, and Treasurer of State pay for clerk hire, was read the second and third times by consent; and,

And on the question,

Shall said bill pass?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Brown, Buell, Carnan, Carr, Chambers, Clark of Wayne, Clark of Washington, Collins, Curtis, Cushman, Davis, Dunning, Edwards, Eggleston, Gregg, Hannaman, Harrow, Howell, Hubbard, Huntington, Jackson, Johnston, Jones, Liston, Macey, Mason, McBean, McCarty, Myers, Phelps, Posey, Ray, Ristine, Smith, Stapp, Templeton, Thompson of A., Thompson of J., Thompson of L., Vawter, Walker of D., Walker of S., Watt, Whitman, Willett, Zenor and Smith, Speaker—46.

And those who voted in the negative are,

Messrs. Armstrong, Bryan, Craig of M., Edmonston, Howard, Huckleberry, Lee of B., Lee of M. and C., Miller, Moore, Murray, Steele, Strain, and Vandever—14.

And so said bill passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

The bill No. 265, was read the second time, and,

On motion of Mr. Vawter,

The 10th section of said bill was stricken out.

Mr. Eggleston moved to indefinitely postpone the further consideration of said bill;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bennett, Bryan, Carnan, Chamberlain, Chambers, Clark of Wayne, Curtis, Cushman, Edwards, Eggleston, Hannaman, Harrow, Howard, Hubbard, Lee of M. and C., Macey, Mason, McCarty, Moore, Posey, Ray, Templeton, Thompson of A., Thompson of J., Walker of D., and Smith, Speaker—26.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Brown, Carr, Collins, Dunning, Edmonston, Gregg, Howell, Huckleberry, Huntington, Johnston, Jones, Lee of B., Liston, McBean, Miller, Morris, Murray, Myers, Phelps, Ristine, Stapp, Steele, Thompson of L., Vandever, Vawter, Walker of S., Whitman, Willett, and Zenor—31.

And so said bill was not indefinitely postponed.

On motion of Mr. Brown,

Said bill was amended.

Mr. Vawter moved further to amend said bill;

Which motion prevailed.

Mr. Mason moved to re-consider the votes on the adoption of the amendments to said bill.

Mr. Hubbard moved to indefinitely postpone said bill with appending amendments,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Bryan, Carnan, Chamberlain, Curtis, Cushman, Edwards, Eggleston, Gregg, Hannaman, Harrow, Hubbard, Johnston, Mason, McCarty, Posey, Ray, Strain, Thompson of A., Thompson of J., Watt, and Smith, Speaker—24.

And those who voted in the negative are,

Messrs. Boone, Brown, Carr, Clark of Washington, Collins, Craig of M., Davis, Dunning, Edmonston, Howell, Huntington, Jackson, Jones, Lee of B., Lee of M. and C., McBean, Miller, Morris, Murray, Phelps, Ristine, Smith, Stapp, Steele, Thompson of L., Vandever, Vawter, Walker of D., Whitman, Willett, and Zenor—31.

And so said bill was not indefinitely postponed.

And the question then recurring on the motion of Mr. Mason to re-

consider the votes had on the amendments, was put and decided in the negative.

Mr. Davis then moved to amend said bill as follows:

Sec. That the Governor of this State is hereby authorized and directed to employ a competent engineer, who shall, during the ensuing summer or fall, make an examination, survey, and estimate of a route for a rail road from Lafayette to the state line, dividing the states of Indiana and Illinois on the direction to Danville, Illinois, a detailed report of which survey and estimate, the cost of construction, the practicability and probable utility of which work, said engineer shall report to the next legislature, at as early a day as possible;

Which was decided in the negative.

And the House adjourned.

THURSDAY, FEBRUARY 4, 1836.

The House met.

Mr. Chiles from the select committee, to which was referred a petition on that subject, reported

A bill [No. 308] to change the name of the town of Carthage in the county of Putnam;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Vandever, having obtained leave, presented the petition of John Meream of the county of Orange, praying certain relief therein named;

Which was referred to the committee on claims without reading.

Mr. Johnston from the joint committee of enrolled bills made the following report:

Mr. SPEAKER—

The joint committee on enrolled bills, report that they did on 3d instant, present to his excellency the Governor, for his approval and signature, the following enrolled bills, which originated in the Senate, to-wit:

No. 81—An act to locate a state road from Montezuma in Parke county to the state line in the direction of Hickory Grove in Edgar county, Illinois;

No. 47—An act to incorporate the Logansport and Eel river bridge company;

No. 65—An act dispensing with certain unnecessary oaths now required of executors, administrators, and appraisers;

No. 73—An act to facilitate the apprehension of fugitives from justice;

No. 82—An act to change a part of a certain state road therein named;

No. 86—An act for the relief of Wilson Anderson;

No. 90—An act for the relief of John Dickens, and others;

No. 37—An act to amend an act entitled "an act for opening and repairing public roads and highways," approved February 10, 1831;

No. 41—An act to incorporate the Parke county Seminary;

No. 50—A joint resolution on the subject of authorizing the Secretary of State to furnish the counties of Allen and Laporte with copies of the revised laws;

No. 51—An act to lay out a state road in the counties of Ripley and Dearborn;

Also the following bills and joint resolutions, which originated in the House of Representatives, entitled as follows, to-wit:

No. 74—An act to incorporate the Laporte canal and rail road company;

No. 82—A joint resolution confirming the sale of certain Michigan road lands;

No. 163—An act to incorporate the town of Indianapolis;

No. 90—An act declaring a misprint;

No. 92—An act to organize Kosciusko county;

No. 99—An act declaring Big Raccoon creek in the counties of Parke and Putnam a public highway;

No. 156—An act to revive and continue in force an act to incorporate the town of Washington in Daviess county;

No. 222—An act for the improvement of Morgantown in Morgan county;

No. 181—A joint resolution relative to certain unreclaimed lands in the Wabash bottom, below Vincennes in Knox county;

No. 122—An act to incorporate the Lafayette and Danville rail road company;

No. 193—A joint memorial and resolution to the Congress of the United States;

No. 148—An act to incorporate the town of New Albany;

No. 84—An act to organize the county of Marshall;

No. 155—An act for the relief of John G. Brown;

No. 169—An act for the formation of the county of Brown;

No. 198—An act to incorporate the New Albany ferry company;

Mr. Morris, from a select committee, made the following report:

Mr. SPEAKER—

The select committee to which was referred the petition of sundry citizens of Marion county, for a mill dam across White river near In-

dianapolis; also, the remonstrance of Samuel Patterson and others, on the same subject, report, that inasmuch as the number on the remonstrance greatly exceeds that of the petition, it is inexpedient to legislate on that subject at this time, and ask to be discharged from the further consideration thereof;

Which was concurred in by the House.

The joint committee on enrolled bills reported that they have compared the enrolled with the engrossed bill that originated in the House of Representatives of the following title, viz;

No. 181—An act to incorporate the the Crawfordsville, Covington, and Illinois rail road company;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bill.

Ordered, that the clerk carry it to the Senate for the signature of their President.

Mr. Huckleberry, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills which originated in the House of Representatives, of the following titles, to wit:

No. 120—An act to amend an act entitled, an act to incorporate the Crawford county Seminary, approved February 7th, 1835;

No. 234—An act to change the time of holding the commissioners' court in the county of Delaware;

No. 229—An act for the relief and benefit of Thomas Smith;

No. 194—An act to incorporate the Hanover Steam mill Company;

No. 218—An act to authorize the payment of expenses incurred in suppressing a riot on the Wabash and Erie canal;

No. 188—An act to appropriate a part of the three per cent. fund.

Also the following bills which originated in the Senate, of the following titles, to wit:

No. 96—An act to legalize the sale of school lands in the county of Pike;

No. 104—An act to amend the act entitled, an act to incorporate the Harrison and Indianapolis Turnpike Company;

No. 89—An act to amend the act entitled, an act defining the duties of Recorders, approved January 19, 1831;

Also the following memorial and joint resolutions, which originated in the House of Representatives:

No. 132—A memorial and joint resolution to the Congress of the United States, on the subject of granting a bounty of land to the organized militia men, mounted militia men and rangers of the last war;

No. 149—A joint resolution on the subject of providing compensation to the United States rangers raised under the act of Congress of June 1832, for horses lost by them whilst in the service;

No. 221—A joint resolution on the subject of furnishing such new counties as may hereafter be organized, with the laws of this State,

And find the same truly enrolled;

Whereupon, the Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their president.

Mr. Vawter (having obtained leave,) presented a bill (accompanied by three several petitions on that subject) No. 309, authorizing the location of a state road;

Which was three times read (the rules of the House having first been dispensed with,) and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Edwards, from the select committee to which was referred the bill [No. 302] for the relief Elias Murray, reported the same back to the house with amendments; which were read and concurred in; when,

On motion,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be intitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

Mr. Willett, from the joint committee on public buildings (having obtained leave) reported

A bill, [No. 310] in relation to the preservation of the State House and to the public grounds, at the seat of justice;

Which was twice read (the rules of the House having first been dispensed with.)

Mr. Clark of Washington moved to amend said bill by striking out from the enacting clause;

Which motion was negatived.

Mr. Chamberlain moved to amend said bill by striking out thereof the words "doorkeeper of the Senate," and insert "the keeper of the State Library."

Mr. Brown moved to amend said motion, by inserting the "doorkeeper of the House of Representatives;" when

On motion of Mr. Vawter,

Said bill was laid on the table.

Mr. Carnan (after having obtained leave) moved the adoption of the following resolution:

Resolved, That the Senate be respectfully requested to return to this House the message of the House, containing the bill of this House, No. 239, extending the credit of the State to the Ohio and Indianapolis rail road company; also the message containing bill of the House No. 241, supplemental to an act entitled an act to provide for a general system of internal improvement, approved January 1836.

Mr. Lee of B., moved to amend said resolution, by striking out thereof, so much as relates to the Ohio and Indianapolis rail road company.

Mr. Clark of Washington moved to indefinitely postpone said resolution, until the first Monday in December next;

Which motion was negatived.

And the question then recurring on the motion of Mr. Lee of B.,

It was put, and decided in the negative.

Mr. Armstrong then moved to lay said resolution on the table.

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Carr, Clark of Washington, Cole, Collins, Cushman, Edmonston, Howell, Howard, Huckelberry, Huntington, Jackson, Lee of B., McBean, Moore, Morris, Phelps, Smith, Steele, Walker of S., Whitman, Willett, Zenor and Smith, Speaker—25.

And those who voted in the negative are,

Messrs. Bennett, Boone, Brown, Buell, Carnan, Chamberlain, Chambers, Chiles, Clark of Wayne, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Eggleston, Evans, Gardner, Gregg, Hannaman, Harrow, Hubbard, Johnston, Jones, Lee of M. and C., Liston, Macey, Mason, McCarty, Murray, Myers, Posey, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., and Watt—44.

And so said motion did not prevail.

And the question then recurring on the adoption of the resolution,
And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Buell, Carnan, Chamberlain, Chambers, Chiles, Clark of Wayne, Craig of M., Craig of P., Curtis, Davis, Dunning, Edwards, Eggleston, Hannaman, Harrow, Hubbard, Johnston, Jones, Lee of M. and C., Liston, Macey, Mason, McCarty, Murray, Myers, Posey, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever and Vawter—39.

And those who voted in the negative are,

Messrs. Armstrong, Brown, Carr, Clark of Washington, Cole, Collins, Cushman, Edmonston, Evans, Gardner, Gregg, Harris, Howard, Howell, Huckleberry, Huntington, Jackson, Lee of B., McBean, Miller, Moore, Morris, Phelps, Smith, Steele, Walker of D., Walker of S., Watt, Whitman, Willett, Zenor and Smith, Speaker—32.

And so said resolution was adopted.

Ordered, That Mr. Stapp inform the Senate thereof.

Mr. McCarty, from the committee of ways and means (having obtained leave) reported

A bill, No. 311, making general appropriations for the year 1836;

Which was twice read (the rules of the House having first been dispensed with,) when,

On motion of Mr. McCarty,

The House resolved itself into committee of the whole thereon; and after some time spent therein, the Speaker resumed the chair, when, Mr. McCarty reported said bill to the House with sundry amendments;

Which were severally concurred in by the House.

Mr. Vawter moved to amend said bill, by adding thereto an additional section, providing for the distribution of the three per cent. fund; which proposed amendment,

On motion of Mr. Dunning, was amended.

Mr. Hubbard moved to amend said amendment, by providing for the distribution of said fund to the several counties in this State, in proportion to the amount of state revenue by such counties respectively paid;

Which motion was negatived.

Mr. Chamberlain then moved to amend said proposed amendment as follows, to wit: "*Provided*, That this act shall be so construed, as to give the three per cent. fund, to the the counties in which the same is raised."

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Brown, Chamberlain, Edwards, Hannaman, Liston, McBean, Thompson of Allen, and Walker of S.;—8.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Bryan, Buell, Carman, Carr, Chambers, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Edmonston, Eggleston, Evans, Gardner, Harrow, Harris, Howard, Howell, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Jones, Lee of B., Lee of M. and C., Macey, Mason, McCarty, Miller, Moore, Morris, Murray, Phelps, Posey, Ray, Ristine, Smith, Steele, Strain, Templeton, Thompson of Lawrence, Thompson of Johnson, Vandever, Vawter, Walker of D., Watt, Whitman, Willett, Zenor and Smith, Speaker—60.

And so said motion was decided in the negative.

Mr. Evans moved to amend said proposed amendment by adding thereto the following proviso:

Provided, That no 3 per cent. fund shall be allowed to any county through which any one of the works of internal improvement run, provided for during the present session of the legislature;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bennett, Brown, Buell, Carr, Cole, Davis, Edwards, Evans, Gardner, Howell, Huckleberry, Huntington, Johnston, Liston, McBean, Posey, Ray, Watt, Whitman, and Willett—20.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Boone, Bryan, Chamberlain, Chambers, Clark of Wayne, Clark of Washington, Collins, Craig of M., Craig of P., Curtis, Cushman, Dunning, Edmonston, Eggleston, Gregg, Hannaman, Harrow, Harris, Howard, Hubbard, Jackson, Jones, Lee of B., Lee of M. and C., Macey, Mason, McCarty, Miller, Moore, Murray, Phelps, Smith, Steele, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Zenor, and Smith, Speaker—47.

And so said amendment was lost.

And the question then recurring on the amendment of Mr. Vawter as amended,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Bryan, Carr, Chambers, Clark of Wayne, Clark of Washington, Cole, Craig of M., Craig of P., Curtis, Cushman, Davis, Dunning, Edmonston, Eggleston, Hannaman, Harris, Howard, Howell, Huckleberry, Jackson, Jones, Lee of B., Miller, Morris, Murray, Phelps, Smith, Steele, Strain, Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, and Zenor—43.

And those who voted in the negative are,

Messrs. Brown, Buell, Chamberlain, Collins, Edwards, Evans, Gardner, Harrow, Hubbard, Huntington, Johnston, Lee of M. and C., Liston, Macey, Mason, McBean, McCarty, Moore, Posey, Ray, Ristine, Templeton, Willett, and Smith, Speaker—23.

On motion,

The rules of the House were further dispensed with, said bill considered as engrossed, read the third time,

And on the question,

Shall said bill pass?

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Bryan, Buell, Carman, Carr, Chambers, Clark of Washington, Cole, Craig of M., Craig of P., Cushman, Davis, Dunning, Edmonston, Eggleston, Gregg, Hannaman, Harris, Howard, Howell, Huckleberry, Jackson, Jones, Lee of B., McCarty, Miller, Murray, Myers, Phelps, Smith, Steele, Strain, Thompson of J., Thompson of L., Vandever, Vawter, Walker of D., Walker of S., Watt, Whitman, and Zenor—44.

And those who voted in the negative are,

Messrs. Brown, Clark of Wayne, Collins, Curtis, Edwards, Evans, Gardner, Harrow, Hubbard, Huntington, Johnston, Lee of M. and C., Liston, Macey, Mason, McBean, Moore, Morris, Posey, Ray, Ristine, Temleton, Willett, and Smith, Speaker—23.

And so said bill passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Hubbard from the joint committee on enrolled bills, reported that they have presented to his excellency the Governor, for his approval and signature, bills which originated in the House of Representatives, with the following titles, to-wit:

No. 210—An act to appropriate a part of the 3 per cent. fund in the county of Orange and for other purposes;

No. 212—An act to amend the several acts for the promotion of schools and education in Clark's Grant;

No. 32—An act to amend an act entitled 'an act regulating divorces,' approved January 17, 1831;

No. 154—An act to provide for cancelling and entering satisfaction of Mortgages;

No. 57—A joint resolution on the subject of the survey of a rail road route from Charlestown in South Carolina to some suitable point on the Ohio river in Ohio or Indiana;

No. 69—An act for the relief of James H. King, recorder of Monroe county;

No. 139—An act to legalize the proceedings of Rezin Malott, a road commissioner;

No. 102—An act to amend an act for the relief of the poor, approved Feb. 10, 1831;

No. 75—An act concerning guardians;

No. 42—An act to authorize the service of subpoenas by copy;

Mr. McCarty from the committee of ways and means, having obtained leave, reported a bill [No. 312] to provide for the assessment and collection of state and county revenue in certain cases;

Which was twice read, (the rules of the House having first been dispensed with), and,

On motion,

The House resolved itself into committee of the whole thereon,

And after some time spent therein,

The Speaker resumed the Chair, and

Mr. Bryan reported said bill to the House with sundry amendments,

When,

On motion of Mr. Vawter,

Said bill and appending amendments were laid on the table.

On motion of Mr. Vandever,

The committee of the whole to which was referred the bill [No. 164] to amend the act entitled an act to organize and regulate the mi-

lilia of the State of Indiana, approved Feb. 2d, 1831, was discharged from the further consideration thereof.

Mr. Willett moved to indefinitely postpone the further consideration of said bill,

And before the question thereon was bad,

On motion of Mr. Thompson of L.,

Said bill was laid on the table.

And the House adjourned.

2 o'clock, P. M.

The House met.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has directed me to return the message from the House of Representatives, containing the bill of the House, [No. 239] extending the credit of the state to the Ohio and Indianapolis rail road company; also the message of the House, containing a bill of the House, [No. 241] supplemental to an act entitled an act to provide for a general system of internal improvement, approved Jan., 1836, and I herewith return the messages.

Mr. Armstrong moved that the Clerk of this House be directed to report the bill No. 239, extending the credit of the state to the Ohio and Indianapolis rail road company, to the Senate and ask their concurrence therein,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Brown, Bryan, Carr, Clark of Washington, Collins, Cushman, Edmonston, Howard, Howell, Huckleberry, Huntington, Jackson, Lee of B., McBean, Miller, Moore, Morris, Phelps, Smith, Steele, Strain, Walker, of S., Watt, Whitman, Willett, and Zenor—28.

And those who voted in the negative are,

Messrs. Bennett, Boone, Buell, Carnan, Chamberlain, Chambers, Chiles, Clark of Wayne, Craig of M., Craig of P., Curtis, Dunning, Eggleston, Evans, Gardner, Harrow, Hubbard, Johnston, Jones, Lee of M., and C., Liston, Macey, Mason, McCarty, Murray, Myers, Posey, Ray, Ristine, Stapp, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, and Vawter—36.

And so said motion was decided in the negative.

Mr. Evans then moved to re-consider the vote taken yesterday on the passage of said bill,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bennett, Boone, Buell, Carnan, Chamberlain, Chambers, Chiles, Clark of Wayne, Craig of M., Craig of P., Curtis, Dunning, Eggleston, Evans, Harrow, Howard, Hubbard, Johnston, Jones, Lee of M. and C., Liston, Macey, Mason, McCarty, Murray, Myers, Posey, Ray, Ristine, Stapp, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, and Vawter—36.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Brown, Bryan, Carr, Clark of Washington, Collins, Cushman, Edmonston, Gardner, Howell, Huckleberry, Huntington, Jackson, Lee of B., McBean, Miller, Moore, Morris, Phelps, Smith, Steele, Strain, Walker of D., Walker of S., Watt, Whitman, Willett, and Zenor—29.

And so said vote was re-considered,

And the question then recurring on the passage of said bill,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Brown, Bryan, Carr, Clark of Washington, Collins, Cushman, Edmonston, Gardner, Howard, Howell, Huckleberry, Huntington, Jackson, Lee of B., McBean, Miller, Moore, Morris, Phelps, Steele, Strain, Walker of D., Walker of S., Whitman, Willett, and Zenor—27.

And those who voted in the negative are,

Messrs. Bardwell, Bennett, Boone, Buell, Carnan, Chamberlain, Chambers, Chiles, Clark of Wayne, Craig of M., Craig of P., Curtis, Dunning, Eggleston, Evans, Harrow, Hubbard, Johnston, Jones, Lee of M. and C., Liston, Macey, Mason, McCarty, Murray, Myers, Posey, Ray, Ristine, Stapp, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, and Vawter—36.

And so said question was decided in the negative.

Mr. Evans moved to re-consider the vote had on yesterday, on the passage of the bill [No. 241] supplemental to an act to provide for a general system of internal improvements, approved Jan. 1836,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Bryan, Buell, Carnan, Chamberlain, Chambers, Chiles, Clark of Wayne, Clark of Washington, Craig of M., Curtis, Davis, Dunning, Evans, Hannaman, Harrow,

Hubbard, Johnston, Jones, Lee of M. and C., Liston, Macey, Mason, McCarty, Murray, Myers, Posey, Ray, Ristine, Smith, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Walker of S., Watt, and Smith, Speaker—43.

And those who voted in the negative are.

Messrs. Armstrong, Brown, Carr, Collins, Craig of P., Cushman, Edmonston, Eggleston, Gardner, Howard, Howell, Huckleberry, Huntington, Jackson, McBean, Miller, Moore, Morris, Phelps, Steele, Whitman, Willett, and Zenor—23.

And so said vote was re-considered; when,

On motion,

Said bill was laid on the table.

Mr. Eggleston moved to re-consider the vote taken on the passage of the bill [No. 239], extending the credit of the state to the Ohio and Indianapolis raid road company,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bryan, Carr, Clark of Washington, Cole, Collins, Cushman, Edmonston, Eggleston, Gardner, Howard, Howell, Huckleberry, Huntington, Jackson, Lee of B., McBean, Miller, Moore, Morris, Phelps, Smith, Steele, Walker of S., Watt, Whitman, Willett, Zenor, and Smith, Speaker—29.

And those who voted in the negative are,

Messrs. Bardwell, Bennett, Boone, Brown, Buell, Carnan, Chamberlain, Chambers, Clark of Wayne, Craig of M., Craig of P., Curtis, Davis, Dunning, Evans, Hannaman, Harrow, Hubbard, Johnston, Jones, Lee of M. & C. Liston, Macey, Mason, McCarty, Murray, Myers, Posey, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, and Vawter—38.

And so said vote was not re-considered.

Bills on their second reading were then considered.

The engrossed bill [No. 263] to amend the act entitled an act to establish a state library, approved Feb. 10, 1831, was read the third time, and,

On motion of Mr. Thompson of L.,

Committed to the committee on the state library, with instructions to amend the same.

On motion of Mr. Willett,

The bill [No. 310] in relation to the preservation of the state house, and to the public grounds at the seat of government, was taken from the table; when,

Mr. Clark of Washington moved to indefinitely postpone said bill.

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Clark of Washington, Craig of M., Cushman, Dunning, Edmonston, Eggleston, Gardner, Howell, Hubbard, Lee of M. and C., Miller, Moore, Murray, Myers, Phelps, Strain, and Vandever—21.

And those who voted in the negative are,

Messrs. Brown, Buell, Carnan, Chamberlain, Chambers, Clark of Wayne, Collins, Curtis, Davis, Evans, Hannaman, Harrow, Howard, Huntington, Jones, Kilgore, Macey, Mason, McBean, McCarty, Morris, Posey, Ray, Ristine, Stapp, Steele, Templeton, Thompson of A., Thompson of J., Thompson of L., Vawter, Walker of D., Walker of S., Watt, Willett, and Smith, Speaker—37.

And so said bill was not indefinitely postponed.

On motion of Mr. Morris,

Said bill was committed to a select committee.

Ordered, That Messrs. Morris, Willett, and Clark of Washington be that committee.

A message from his Excellency the Governor, by Mr. Ketcham, his private Secretary:

MR. SPEAKER—

I am directed by his Excellency the Governor to inform the House of Representatives, that on the 4th February 1836, he approved the acts and joint resolution entitled as follows:

No. 75—An act concerning guardians;

No. 155—An act for the relief of John G. Brown;

No. 102—An act to amend an act for the relief of the poor, approved February 10, 1831;

No. 137—An act to legalize the proceedings of Rezin Malott, a road commissioner;

No. 69—An act for the relief of James H. King, recorder of Monroe county.

No. 42—An act to authorize the service of subpoenas, by copy;

No. 210—An act to appropriate a part of the 3 per cent. fund in the county of Orange and for other purposes.

No. 156—An act to revive and continue in force an act to incorporate the town of Washington in Daviess county, approved January 31st, 1832;

No. 84—An act to organize the county of Marshall;

No. 222—An act for the improvement of Morgantown in Morgan county;

No. 169—An act for the formation of the county of Brown;

No. 80—An act declaring a misprint;

No. 212—An act to amend the several acts for the promotion of schools and education in Clark's Grant;

No. 92—An act to organize Kosciusko county;

No. 99—An act declaring Big Raccoon creek in the county of Putnam and Parke a public highway;

No. 92—A joint resolution confirming the sale of certain Michigan road lands;

No. 57—A joint resolution on the subject of the survey of a rail road route from Charleston in South Carolina, to some suitable point on the Ohio river, in Ohio or Indiana;

No. 180—A joint resolution relative to certain unreclaimed lands in the Wabash bottom below Vincennes in Knox county.

No. 193—A joint memorial and resolution to the Congress of the United States;

Mr. Edmonston having obtained leave, moved the adoption of the following resolution:

Resolved, That the Senate be respectfully requested to return to this House, bill No. supplemental to an act to provide for a general system of internal improvement, passed at the present session of the General Assembly;

Which,

On motion of Mr. Posey,

Was laid on the table.

Mr. Howard having obtained leave, presented

A bill [No. 313] appropriating certain portions of the 3 per cent. fund in Dearborn county;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence therein.

On motion of Mr. Clark of Washington,

The engrossed bill of the Senate [No. 8] to repeal the act entitled an act to amend the several acts regulating the jurisdiction and duties of justices of the peace in the several counties herein named, was taken from the table, read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

On motion of Mr. Thompson of L.,

The engrossed bill No. 76 of the Senate, for the improvement of the Michigan road and for other purposes, was taken from the table.

Mr. Smith moved to re-commit the bill to the same select committee that reported a bill to this House, providing for the improvement of the Michigan road, with instructions to amend it so that the office of road commissioner be abolished, and that the money on hand and as it accrues, shall be placed under the direction of the board doing county business in the several counties through which the road runs, to be paid over on the draft of the board doing county business, to the several counties in proportion to the length of road in each county.

Mr. Willett moved the previous question;

Which was seconded by a majority of all the members present,
 And the question was thereon put,
 Shall the main question be now put?
 Which was decided in the negative.
 And the House adjourned.

FRIDAY, FEBRUARY 5, 1836.

The House met.

Mr. Johnston presented the petition of William H. Risk, preferring certain charges against Nathaniel Hammond, a justice of the peace in Franklin county;

Which,

On motion of Mr. Johnston,

Was referred to the judiciary committee.

On motion of Mr. Phelps,

The bill [No. 36] of the Senate to amend the act for opening and repairing public roads and highways, approved 1st Feb. 1831, was taken from the table.

On motion of Mr. Vandever,

Said bill was amended by striking out so much as relates to poll tax for state purposes; when,

On motion of Mr. Phelps,

Said bill was read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Hubbard from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills that originated in the House of Representatives, with the following titles, to-wit:

No. 17—An act to incorporate the Lawrenceburgh and Harrison Turnpike Company;

No. 103—An act for the incorporation of Dublin;

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their president.

Mr. Johnston from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills of the Senate, entitled as follows, to-wit:

No. 80—An act authorizing the appointment of testamentary guardians;

No. 97—An act supplemental to an act entitled an act regulating the practice in chancery, approved Feb. 10, 1831;

No. 22—An act to amend the act entitled an act regulating the taking up of animals going astray, and water craft and other articles of value going adrift, approved Feb. 7, 1835;

Also, the following bills originating in the House, viz:

No. 170—An act to incorporate the town of Milton in Wayne county;

No. 215—An act to organize the county of Noble;

No. 237—An act to change the name of Middletown in the county of Tippecanoe to West Point;

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Bennett from the committee on claims, made the following report:

The committee on claims to whom was referred the petition of John Merian of Orange county, complaining against one Samuel Cobb, acting commissioner of the French Lick Reserve, for allowing certain competition in quarrying rock, on a lease held by said Merian, have according to order, had that subject under their consideration and have directed me to report, that in the opinion of your committee, it is inexpedient to legislate on that subject at this time, and ask to be discharged from the further consideration thereof;

Which was concurred in by the House.

Mr. Vawter from the committee on roads, made the following report:

The committee on roads to which was referred the remonstrance of Robert Keightley and others against the location of a state road, (the committee on roads having been dissolved), the chairman of said committee reports the same back to the House and asks that said remonstrance do lie on the table;

Which was concurred in by the House.

Mr. Dunning from the committee on the State Library, made the following report:

MR. SPEAKER—

The committee on the state library, to which was re-committed the bill No. 263, to amend the act entitled an act to establish a state library, approved Feb. 10, 1831, beg leave to report the same back to the House with two amendments, to-wit:

1st. By striking out the 4th section of the bill, which provides that no books except those of miscellaneous kind, should be taken from the library room.

2d. By adding a section, (being the 4th) making the librarian superintendent of the state house and allowing him no additional compensation, except the actual expense he may incur by the hire of a laboring hand;

Which said amendments were concurred in by the House.

On motion,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act and that the clerk inform the Senate thereof and ask their concurrence therein.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed an engrossed bill from the House of Representatives without amendment, entitled as follows:

No. 231—An act to incorporate the Vincennes manufacturing company;

Also engrossed bills from the House of Representatives, with amendments to each, of the following titles, to wit:

No. 10—An act to authorize certain persons therein named to erect a dam across the St. Joseph river;

No. 20—An act to amend the act entitled an act to re-locate a certain state road in the counties of Hancock and Henry, approved Feb. 7, 1835, and for other purposes;

No. 161—An act supplemental to an act entitled an act to regulate the practice in suits at law, approved January 29, 1831;

No. 187—An act to incorporate the Veray and Napoleon, and other turnpike companies;

No. 203—An act to incorporate the Indianapolis insurance company;

No. 250—An act to amend an act entitled an act to incorporate the Wayne and Union turnpike company, approved February 7, 1835;

No. 216—An act to provide for an equitable mode of levying the taxes of this state;

Also an engrossed bill of the Senate entitled as follows:

No. 114—An act to authorize the loaning of the moneys of congressional townships, which may be paid into the treasury;

In which bill of the Senate, and in the amendments of the Senate to the bills of the House, Nos. 10, 20, 161, 187, 203, 250, and 216, the concurrence of the House of Representatives is requested.

The Senate has concurred in the amendments made by the House of Representatives to the engrossed bill of the Senate,

No. 91—An act to locate a state road from Greencastle in Putnam county *via* Carthage in said county, to Martinsville in Morgan county;

The amendments of the Senate to the engrossed bills of the House of Representatives, named in said message, Nos. 10, 161, 187, 250, and 203, were severally read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, and 11th amendments of the Senate to the bill of the House No. 16, named in said message, were severally concurred in.

And the 12th amendment thereto, was read,
 And on the question, will the House concur therein?
 And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Brown, Carnan, Carr, Chamberlain, Clark of Wayne, Cole, Craig of P., Cushman, Edmonston, Eggleston, Gardner, Graham, Howard, Howell, Huckleberry, Huntington, Jackson, Johnston, Jones, Liston, Macey, Myers, Phelps, Smith, Steele, and Templeton—28.

And those who voted in the negative are,

Messrs. Bennett, Boone, Buell, Chambers, Clark of Washington, Collins, Craig of M., Curtis, Davis, Dunning, Harrow, Hubbard, Lee of B., Lee of M. and C., Mason, McBean, McCarty, Miller, Moore, Morris, Murray, Posey, Ray, Ristine, Stapp, Strain, Thompson of A., Thompson of J., Vandever, Vawter, Walker of D., Walker of S., Watt, Willett, Zenor, and Smith, Speaker—35.

And so said amendment was not concurred in.

Ordered, That the clerk inform the Senate thereof.

The engrossed bill of the Senate No. 114, named in said message, Was three times read (the rules of the House having first been dispensed with), and passed.

Ordered, That the clerk inform the Senate thereof.

The House then proceeded to consider bills on their third reading.

The engrossed bill of the Senate No. 76, for the improvement of the Michigan road and for other purposes, was read the third time,

And on the question, shall said bill pass?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Bennett, Boone, Bryan, Buell, Carnan, Chamberlain, Chambers, Clark of Wayne, Clark of Washington, Craig of P., Curtis, Cushman, Dunning, Edwards, Gardner, Graham, Howell, Hubbard, Johnston, Jones, Lee of M. and C., Liston, Macey, Mason, McBean, Murray, Myers, Posey, Ray, Ristine, Stapp, Templeton, Thompson of Allen, Thompson of Johnson, Vandever, Vawter, Willett, and Smith, Speaker—37.

And those who voted in the negative are,

Messrs. Armstrong, Brown, Carr, Craig of M., Davis, Edmonston, Howard, Huckleberry, Huntington, Jackson, McCarty, Miller, Moore, Morris, Phelps, Smith, Steele, Strain, Walker of D., Walker of S., and Zenor—21.

And so said bill passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Thompson of A., having obtained leave, presented

A bill [No. 314] to incorporate the Eel river bridge company;

Which was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

The engrossed bills of the Senate,

No. 60—To amend the charter and define the powers, and duties of the president and trustees of the town of Evansville, and,

No. 59—To incorporate the Rome savings institution,

Were severally read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

The engrossed bills of the House [No. 287] authorizing the State Agent of Indianapolis, to make a deed to a certain lot of land adjoining Indianapolis, to Wilkes Reagin;

No. 242—to abolish the office of Agent of State for Indianapolis, and for the sale of certain lots therein; and

No. 284—supplemental to an act entitled an act establishing a state bank, approved January 1836, providing for a branch of the State Bank east of Lafayette branch, and west of the Fort Wayne branch,

Were severally read the third time and passed.

Ordered, That they be entitled acts, and that the Clerk carry them to the Senate and ask their concurrence therein.

Mr. Huckleberry, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills of the Senate of the following titles, to wit:

No. 74—An act authorizing the boards doing county business in the several counties in this state, to exempt certain persons from the payment of a poll and a road tax.

No. 84—An act for the relief Elias Osborne;

No. 236—An act providing for holding the circuit courts in the 8th judicial circuit;

Also, the following joint resolution of the Senate:

No. 63—A joint resolution on the subject of revising the school laws; And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Bills on their second reading were then considered:

The bill [No. 265] to amend the act incorporating the Lawrenceburgh and Bloomington rail road company, approved February 1st, 1834,

Was read the second time, and

On motion, laid on the table.

The bill [No. 303] to authorize the survey of a turnpike road from Greenfield in Hancock county, *via* Rushville, Connersville, Brownsville, to liberty in Union county, was read the second time, and

On motion of Mr. Bennett,
Laid on the table.

On motion, The committee of the whole to which was referred the engrossed bill of the Senate [No. 26] to amend the execution law, was discharged from the consideration thereof.

On motion, said bill was indefinitely postponed.

On motion of Mr. Morris, the committee of the whole to which was referred the bill [No. 202] for the relief of Elizabeth Nowland, and others, in regard to the Donation lands of the state at the town of Indianapolis, was discharged from the further consideration thereof.

On motion of Mr. Willett,

Said bill was indefinitely postponed.

Mr. Morris, from the select committee to which was referred the bill [No. 310] in relation to the preservation of the State House and to the public grounds, reported the same back to the House, with amendments;

Which were severally concurred in; when,

On motion of Mr. Huntington,

Said bill was considered as engrossed, and read the third time.

Mr. Clark of Washington moved to indefinitely postpone the same until the first Monday in December next;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Boone, Brown, Carnan, Chamberlain, Clark of Wayne, Cole, Collins, Craig of P., Curtis, Cushman, Davis, Edwards, Eggleston, Harrow, Howard, Huntington, Johnston, Jones, Liston, Macey, Mason, McBean, McCarty, Morris, Posey, Ray, Ristine, Smith, Stapp, Templeton, Thompson of J., Vawter, Walker of D., Whitman, Willett, and Smith, Speaker—37.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Chambers, Clark of Washington, Craig of M., Dunning, Gardner, Hubbard, Jackson, Lee of M. and C., Miller, Moore, Murray, Phelps, Steele, Strain, Vandever, Watt, and Zenor—13.

And so said motion prevailed.

On motion of Mr. Ray,

The committee of the whole to which was referred the bill [No. 183] to amend the 9th section of an act entitled an act relative to crime and punishment, approved February 10th, 1831, was discharged from the further consideration thereof.

On motion of Mr. Ray,

Said bill was considered as engrossed, read the third time, and passed.

Ordered, That they be entitled acts and that the clerk carry them to the Senate and ask their concurrence therein.

On motion of Mr. Ray,

The committee of the whole to which was referred the bill [No. 125] to amend an act entitled an act relative to crimes and punishments, approved February 10th, 1831, was discharged from the further consideration thereof.

Mr. Vawter moved to amend said bill by striking out the first section thereof.

Mr. Willett moved the previous question; which motion was seconded by a majority of all the members present.

And the question was then put—shall the main question be now put?

And decided in the affirmative.

And thereupon the question was had—shall said bill pass?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bardwell, Brown, Carnan, Carr, Chambers, Clark of Wayne, Cole, Collins, Craig of M., Curtis, Davis, Dunning, Edwards, Gardner, Howard, Hubbard, Johnston, Jones, Macey, Mason, McBean, McCarty, Morris, Posey, Ray, Ristine, Smith, Stapp, Steele, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vawter, Walker of D., Whitman, Willett, and Smith, Speaker—38.

And those who voted in the negative are,

Messrs. Bennett, Boone, Chamberlain, Clark of Washington, Cushman, Harrow, Jackson, Lee of B., Lee of M. and C., Moore, Murray, Phelps, Vandever, Watt, and Zenor—15.

And so said bill passed.

Ordered, That it be entitled an act and that the Clerk carry it to the Senate and ask their concurrence therein.

Mr. Hubbard, from the joint committee on enrolled bills, reported, that they have presented to the Governor for his approval and signature, bills that originated in the House of Representatives, of the following titles, to wit:

No. 149—A joint resolution on the subject of providing compensation to the United States' rangers, raised under the act of Congress of June, 1832, for horses lost by them whilst in the service;

No. 132—A memorial and joint resolution to the Congress of the U. States, on the subject of granting a bounty of land to the organized militia, mounted militiamen and rangers of the last war;

No. 120—An act to amend an act entitled an act to incorporate the Crawford county seminary, approved February 7th, 1835;

No. 194—An act to incorporate the Hanover steam mill company;

No. 188—An act to appropriate a part of the 3 per cent. fund, and for other purposes;

No. 234—An act to change the time of holding the commissioner's court in the county of Delaware;

No. 229—An act for the relief and benefit of Thomas Smith;

No. 221—A joint resolution on the subject of furnishing such new counties as may hereafter be organized, with the laws of this state;

No. 218—An act to authorize the payment of expenses incurred in suppressing a riot on the Wabash and Erie canal;

No. 181—An act to incorporate the Crawfordsville, Covington and Illinois Rail Road Company;

Also, the following bills that originated in the Senate:

No. 89—An act to amend the act entitled an act for the defining the duties of recorder, approved Jan. 19, 1831;

No. 96—An act to legalize the sale of school lands in the county of Pike;

No. 104—An act to amend an act entitled an act to incorporate the Harrison and Indianapolis turnpike company;

Mr. Phelps from the select committee, to which was referred the engrossed bill of the Senate (No. 56), to amend an act entitled an act to regulate the mode of doing county business in the several counties in this state, (having obtained leave), reported said bill back to the House with amendments, which were concurred in by the House.

On motion of Mr. Phelps,

Said bill was considered as engrossed, read the third time and passed.

Ordered, That the Clerk inform the Senate thereof.

And the House adjourned.

2 o'clock, P. M.

The House met.

Leave of absence was granted to Mr. Myers during the remainder of the session.

Mr. Chamberlain from the Judiciary Committee to which was referred the engrossed bill of the Senate, (No. 107) to incorporate the Lagrange county manufacturing company, (having obtained leave), reported the same back to the House without amendment.

On motion of Mr. Liston

Said bill was read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

Mr. Huntington from the committee on Education to which was referred

The bill (No. 110), to amend an act entitled "An act incorporating Congressional townships, and providing for public schools therein; reported the same back to the House without amendment, when

On motion of Mr. Huntington,

Said bill was laid on the table.

Mr. Stapp from the Judiciary committee made the following report:

MR. SPEAKER—

The Judiciary committee to which was referred the charge of William H. Risk against Nathaniel Hammond, a justice of the peace for Franklin county, with malfeasance in office, have had the same under consideration and have instructed me to report, That it is now too late in the session to act on said charge, and ask leave to be discharged from the further consideration thereof.

Which was concurred in by the House.

Mr. Dunning having obtained leave, moved the adoption of the following resolution:

Resolved, That the thanks of this House be tendered to the Hon. Caleb B. Smith, for the highly satisfactory manner in which he has discharged the duties of Speaker during the present session of the General Assembly.

Which was read and unanimously adopted.

Mr. Brown from the Joint committee on the Canal Fund made the following report:

The Joint committee on the Canal Fund, to which were referred the financial reports of the Commissioners of the Canal Fund and of the Canal Commissioners, have had the same under their consideration, and have directed the accompanying Bill to be reported to the House. The time allotted to the committee since the report of the settlement and accounts of the Canal Commissioners with the Fund Commissioners as required by law, has been too limited to enable them to bestow upon the subject as careful and rigid investigation as its importance required. From the examination, however, which they have been able to make of the books, vouchers, and other documents in the office of the Commissioners of the Canal Fund, they believe the same to be in accordance with the several reports presented to the General Assembly by the commissioners. The number of vouchers and other papers pertaining to this branch of the financial department of our system of Internal Improvement renders a proper examination a task of great labor, for the performance of which, in a satisfactory manner, more time would be required than remains of the present session.

In relation to the judicious recommendations of the Fund Commissioners, as set forth in their last report, the committee consider that they will be answered by bills which have already passed the House, or by the provisions contained in the accompanying bill.

It is due in justice to the Commissioners to add that they have invited the closest scrutiny into all their official acts, and have earnestly requested the committee to make any and every inquiry as to their conduct in office since the origin of the Canal Fund to the present time.

Which said bill (No. 315), relative to the commissioners of the canal fund was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That it be entitled an act and the clerk carry it to the Senate and ask their concurrence therein.

A message from the Senate by Mr. Morrison their principal Secretary.

Mr. SPEAKER—

The Senate has passed an engrossed bill

No. 54—Entitled an act “to provide that certain citizens may obtain land,” in which the concurrence of the House of Representatives is requested.

The engrossed bill (No. 54) of the Senate therein named was read the first time.

Mr. Brown moved that the rules be dispensed with, and said bill be read the second time now;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Mesrs. Bardwell, Bennett, Boone, Brown, Carnap, Carr, Chamberlain, Clark of Wayne, Clark of Washington, Cole, Craig of M., Curtis, Cushman, Davis, Dunning, Edmonston, Edwards, Graham, Hannaman, Howard, Howell, Huntington, Johnston, Jones, Lee of B., Macey, Mason, McCarty, Moore, Morris, Ray, Ristine, Smith, Steele, Thompson of L., Vandever, Watt, Zenor, and Smith, Speaker—39.

And those who voted in the negative are,

Messrs. Armstrong, Chambers, Collins, Craig of P., Eggleston, Harrow, Hubbard, Jackson, Lee of M. and C., Liston, Miller, Murray, Phelps, Posey, Stapp, Strain, Thompson of A., Thompson of J., Vawter, Walker of D., Whitman, and Willett—22.

There not being two-thirds voting in the affirmative, said bill passed to the second reading on to-morrow.

On motion of Mr. Willett,

The House resolved itself into a committee of the whole on the bill (No. 100) concerning gaming, and after some time spent therein, the Speaker resumed the chair, when

Mr. Eggleston reported progress, and asked leave to sit again on the first Monday of December next;

Which leave was granted by the House.

The committee of the whole to which was referred the joint resolution (No. 179) concerning a donation of land, for the education of poor, deaf, dumb, and blind persons was discharged from the consideration thereof.

On motion,

Said resolution was read the third time and passed.

Ordered, That the clerk inform the Senate thereof and ask their concurrence therein.

Mr. Johnston, from the joint committee on enrolled bills, reported

that they have compared the enrolled with the engrossed bills, of the Senate entitled acts as follows to wit:

No. 108—An act to authorize certain individuals therein named to build a toll bridge over the Kankakee river;

No. 109—An act to provide for the election of a justice of the peace in or near Milroy, in Rush county;

No. 105—An act to incorporate the Websterian Social Library;

Also the following bills which originated in the House of Representatives entitled as follows, to wit:

No. 87—An act to incorporate the northern insurance company;

No. 228—An act appropriating so much of the 3 per cent. fund as is now due to Greene county;

And find the same truly enrolled.

Whereupon, the Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their President.

A message from the Senate by Mr. Foster their assistant Secretary:

Mr. SPEAKER—

The Senate have passed the bill of the House of Representatives, No. 233—to change the time of holding circuit courts in the 5th judicial circuit.

A message from his excellency, the Governor, by Mr. Ketcham his private Secretary:

Mr. SPEAKER—

I am directed by his excellency the Governor to inform the House of Representatives, that on 5th Feb. 1836, he approved the acts and joint resolutions entitled as follows:

No. 194—An act to incorporate the Hanover Steam mill Company;

No. 32—An act to amend an act entitled an act regulating divorces, approved Jan. 17, 1831;

No. 198—An act to incorporate the New Albany ferry company;

No. 63—An act to incorporate the town of Indianapolis;

No. 148—An act to incorporate the town of New Albany;

No. 181—An act to incorporate the Crawfordsville, Covington, and Illinois rail road company;

No. 122—An act to incorporate the Lafayette and Danville rail road company;

No. 74—An act to incorporate the Laporte canal and rail road company;

No. 229—An act for the relief and benefit of Thomas Smith;

No. 188—An act to appropriate a part of the three per cent. fund and for other purposes;

No. 154—An act to provide for cancelling and entering satisfaction of Mortgages.

No. 120—An act to amend an act entitled, an act to incorporate the

Crawford county Seminary, approved February 7th, 1835;

No. 234—An act to change the time of holding the commissioners' court in the county of Delaware;

No. 218—An act to authorize the payment of expenses incurred in suppressing a riot on the Wabash and Erie canal;

No. 236—An act providing for holding the circuit courts in the eighth judicial circuit;

No. 221—A joint resolution on the subject of furnishing such new counties as may hereafter be organized, with the laws of this State,

No. 132—A memorial and joint resolution to the Congress of the United States, on the subject of granting a bounty of land to the organized militia men, mounted militia men and rangers of the last war;

No. 149—A joint resolution on the subject of providing compensation to the United States rangers raised under the act of Congress of June 1832, for horses lost by them whilst in the service;

A message from the Senate by Mr. Morrison, their principal Secretary:

Mr. SPEAKER—

The Senate has disagreed to the amendment of the House of Representatives to the 1st amendment of the Senate to the bill of the House of Representatives,

No. 216—to provide for an equitable mode of levying the taxes of this state;

And the Senate insist on their 2d and 12th amendments to said bill.

On motion,

The House insisted on their amendment to the 1st amendment of the Senate, also insisted on their disagreement to the second amendment of the Senate to said bill;

Mr. Smith moved that the House recede from their disagreement to the 12th amendment of the Senate to said bill.

And the ayes and noes being requested thereon by two members;

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Carnan, Carr, Chamberlain, Clark of Wayne, Clark of Washington, Cole, Craig of P., Cushman, Edmonston, Edwards, Eggleston, Graham, Hannaman, Howard, Howell, Huntington, Jackson, Johnston, Liston, McBean, Miller, Phelps, Posey, Smith, Steele, Walker of D., Whitman, and Willett—31.

And those who voted in the negative are,

Messrs. Beinnett, Boone, Chambers, Collins, Craig of M., Curtis, Davis, Harrow, Hubbard, Jones, Lee of B., Lee of M. and C., Mason, McCarty, Moore, Morris, Murray, Ray, Ristine, Stapp, Strain, Templeton, Thompson of J., Thompson of L., Vandever, Vawter, Watt, Zenor and Smith, Speaker—29.

And so said motion was decided in the affirmative.

Mr. Liston moved to reconsider said vote,
And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bennett, Boone, Chamberlain, Chambers, Collins, Craig of M., Curtis, Davis, Dunning, Harrow, Hubbard, Johnston, Jones, Lee of B., Lee of M. and C., Liston, Mason, McCarty, Morris, Murray, Ray, Ristine, Stapp, Strain, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Watt, Zenor, and Smith, Speaker—32.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Carnan, Carr, Clark of Wayne, Clark of Washington, Cole, Craig of P., Cushman, Edmonston, Edwards, Eggleston, Graham, Hannaman, Howard, Howell, Huntington, Jackson, McBean, Miller, Phelps, Posey, Smith, Steele, Walker of D., Whitman, and Willett—28.

And so said vote was reconsidered.

And the question then recurring on the motion of Mr. Smith to recede,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Carr, Clark of Wayne, Clark of Washington, Cole, Craig of P., Cushman, Edmonston, Edwards, Eggleston, Graham, Hannaman, Howard, Howell, Huntington, Jackson, Miller, Phelps, Posey, Smith, Steele, Walker of D., Whitman, and Willett—25.

And those who voted in the negative are,

Messrs. Bennett, Boone, Chamberlain, Chambers, Collins, Craig of M., Curtis, Davis, Dunning, Harrow, Hubbard, Johnston, Jones, Lee of B., Lee of M. and C., Liston, Mason, McBean, McCarty, Moore, Morris, Murray, Ray, Ristine, Stapp, Templeton, Thompson of A., Thompson of J., Thompson of L., Vandever, Vawter, Watt, Zenor, and Smith, Speaker—35.

And so said motion was decided in the negative.

On motion of Mr. Stapp,

The House then insisted on their disagreement to said amendment.
Whereupon,

Messrs. Stapp and Dunning were appointed a committee of free conference on the part of the House to take into consideration with a similar committee to be appointed on the part of the Senate, the subject-matter of difference between the two Houses.

On motion,

The House resolved itself into a committee of the whole on the bill, No. 200—to amend the act regulating the mode of doing county business in the several counties in this state;

And after some time spent therein,

The Speaker resumed the chair, when,

Mr. Brown reported said bill to the House without amendment.

On motion of Mr. Posey,

Said bill was laid on the table.

On motion of Mr. Dunning,

The House resolved itself into a committee of the whole on the bill, No. 201—concerning fugitives from justice, and after some time spent therein, the Speaker resumed the chair, and

Mr. Willett reported said bill to the House without amendment,

When,

On motion, said bill was read the third time, and on the question, Shall said bill pass?

It was decided in the negative.

On motion of Mr. Posey,

The bill (No.) regulating the militia of this state, was taken from the table,

And the House adjourned.

SATURDAY, FEBRUARY 6, 1836.

The House met.

Mr. Ray presented the petition of Michael Front and others praying the survey of a canal up Martindale's creek, in Wayne county, which,

On Motion of Mr. Ray,

Was laid upon the table.

The orders of the day were then considered.

The engrossed bill of the Senate (No. 54), to enable certain citizens to procure lands, was read the second time.

Mr. Edmonston moved to indefinitely postpone said bill, and before the question thereon was had.

On motion of Mr. Vawter,

Said bill was laid on the table.

Mr. Johnston from the Joint committee on enrolled bills reported that they did on the 5th inst. present to His Excellency, the Governor, for his approval and signature a bill which originated in the House of Representatives, of the following titles to-wit:

No. 236—an act providing for holding the circuit courts in the 8th Judicial Circuit.

Mr. Johnston from the joint committee on enrolled bills, reported that

they did on the 5th inst. present to the Governor, for his approval and signature, bills which originated in the Senate of the following titles, viz:

No. 22—an act to amend the act entitled “An act regulating the taking up of animals going estray, and water craft and other articles of value going adrift,” approved February 7, 1835.

No. 80—an act authorizing the appointment of testamentary guardians.

No. 84—An act for the relief of Elias Osborn.

No. 97—an act supplemental to an act entitled “an act regulating the practice in Chancery,” approved February 10, 1831.

Also bills originating in the House of Representatives, entitled as follows:

No. 215—an act to organize the county of Noble.

No. 237—An act to change the name of Middleton in the county of Tippecanoe to West Point.

Mr. Hubbard from the joint committee on enrolled bills, reported that they have presented to the Governor for his approval and signature bills that originated in the House of Representatives with the following titles, to-wit:

No. 103—An act for the incorporation of Dublin.

No. 74—An act authorizing the board doing county business in the several counties in this state to exempt certain persons from the payment of a poll and road tax.

No. 63.—A Joint resolution on the subject of revising the school laws.

No. 170—An act incorporating the town of Milton in Wayne county.

No. 17—An act to incorporate the Lawrenceburgh and Harrison turnpike company.

The committee of the whole to which was referred

The bill (No. 235), to amend an act entitled an act concerning free negroes and mulattoes, servants, and slaves, (approved February 10, 1831), was discharged from the consideration thereof, when

On motion of Mr. Dunning,

Said bill was laid on the table.

A message from the Senate by Mr. Morrison their principal Secretary.

Mr. SPEAKER—

The Senate has passed bills from the House of Representatives, entitled as follows:

No. 73.—An act to empower Alexis Coquillard and others to drain off the water of the Kankakee Ponds;

No. 255—An act to re-locate and improve certain state roads therein named;

No. 253—An act for the incorporation of the town of Knightstown;

No. 254—An act to change the line dividing the counties of Jefferson and Clark.

No. 256.—An act to amend an act entitled “an act for the relief of the poor,” approved February 10, 1831.

No. 257.—An act to incorporate Michigan City;

No. 258.—An act to authorize the election of an additional Justice of the Peace in the county of Jefferson;

No. 259.—An act to legalize the marriage of Derastus Fry and Miss Snodgrass, of Hancock county;

No. 262.—An act to legalize the Rising Sun Dearborn county Agricultural Society;

No. 264.—An act to amend an act entitled “an act to locate a state road from Leavenworth town in Crawford county to Salem in Washington county; approved January 8, 1835.

No. 266.—An act to vacate a part of the public common in the town of Spencer, in the county of Owen;

No. 273.—An act to incorporate the Western Scientific and Agricultural College;

No. 268.—A joint memorial and resolution on the subject of the Wabash and Erie Canal;

No. 270.—An act for the relief of Stephen Frickle,

No. 272.—An act to renew the corners, stakes, and boundaries of the town of Greenfield, the seat of justice of Hancock county;

No. 274.—An act authorizing the inhabitants of Newtown, in Fountain county to become incorporated;

No. 277.—An act to vacate the town of Cynthiana in Hamilton county;

No. 279.—An act to incorporate the Bethlehem Savings Institution;

No. 281.—An act to incorporate the Winchester Turnpike company;

No. 283.—An act to authorize the citizens of Madison township, in the county of Morgan, to elect an additional justice of the peace;

No. 286.—An act authorizing the re-location of a part of the Cumberland and Huntington state road;

No. 289.—A joint resolution to extend the time of the public printing for 1835-6;

No. 306.—An act to amend the act entitled an act “to establish a state road from Martinsville, in Morgan county, via Middletown in Owen county, to John Chances’ Ferry on Eel river, thence to Haynes’ old cabin, in Vigo county,” approved January 31st, 1835;

No. 292.—An act to incorporate the Vernon Savings and Insurance Institution;

No. 307.—An act to establish a state road west of the Wabash river, in Vigo county;

No. 230.—An act to attach the county of Morgan to the 15th Brigade of Indiana Militia;

No. 287.—An act to authorize the State Agent of Indianapolis to make a deed to a certain lot of land adjoining Indianapolis, to Wilks Reagan;

No. 65.—An act to authorize the appointment of a special county agent;

No. 78.—An act amendatory of an act entitled an act relative to county seminaries; approved February 4, 1831;

No. 89—To amend an act entitled "An act to amend an act to regulate the mode of doing county business in this State," approved February 7, 1835;

No. 163—A joint resolution on the subject of a geological survey of the State;

No. 182—An act to allow additional compensation to officers of elections;

No. 196—An act regulating the jurisdiction of justices of the peace in the counties of Bartholomew and Delaware;

No. 224—An act to incorporate the town of New York, in Switzerland county;

No. 291—An act to authorize the Recorder of Boon county to record the plat of Jamestown, and for other purposes;

No. 294—An act to record and incorporate Wilson's addition to the town of Crawfordville;

No. 298—An act authorizing Amasa Makepeace to apply for a writ of *ad quod damnum*, to establish a mill on White river, in the county of Madison;

No. 214—An act regulating the mode of doing county business in the counties of Daviess and Martin;

No. 300—An act to authorize an additional justice of the peace for Franklin township, in Marion county;

No. 301—An act to authorize the Board doing county business of the county of Franklin, to lay off a street in the town of Brookville in said county;

No. 304—An act supplementary to act entitled "an act establishing as a state road the road from Livonia to Geo. Beck's," approved Jan. 30, 1836.

Also bills from the House of Representatives with amendments to each of the following titles, viz:

No. 260—An act to repeal so much of an act entitled "an act to amend an act to regulate the mode of doing county business in this state," approved January 19th, 1831, as relates to the county of Allen;

No. 243—An act relating to state roads;

No. 189—An act to incorporate the South Bend Mutual Insurance Company;

And bills of the Senate of the following titles, viz:

No. 116—An act to appropriate to the several counties in this state a part of the 3 per cent. fund;

No. 116—An act to incorporate the Franklin, Fayette and Rush Turnpike company;

No. 119—An act to attach the counties of Lake and Whitley to organized counties for judicial purposes;

No. 118—An act providing for the correction of a mistake in a deed therein mentioned for part of the plat of the town of Newport, and for other purposes;

In which bills of the Senate, and in the amendments, to the bills of the House, No. 260, 243, and 189, the concurrence of the House of Representatives is requested.

The Senate has appointed Messrs. Dumont and Puett a committee of free conference, to take into consideration in conjunction with the committee appointed by the House of Representatives, the disagreeing votes of the two Houses on the engrossed bill from the House of Representatives, No. 216, entitled an act to provide an equitable mode of levying the taxes of this state.

The amendments of the Senate to the engrossed bills of the House of Representatives, Nos. 260 and 243,

Were severally read and concurred in by the House.

The engrossed bill of the Senate [No. 116,]

Was twice read (the rules of the House having first been dispensed with.)

Mr. Edmonston moved to amend said bill, by striking out so much thereof as relates to the funding of the 3 per cent. fund;

Which motion was decided in the negative.

Mr. Liston moved to indefinitely postpone the further consideration thereof;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Boone, Brown, Carnan, Chamberlain, Edwards, Hubbard, Johnston, Liston, Macey, Mason, McBean, McCarty, Morris, Posey, Ray, Templeton, Thompson of A., Willett, and Smith, Speaker—19.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Carr, Chambers, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of M., Craig of P., Curtis, Cushman, Dunning, Edmonston, Eggleston, Gardner, Graham, Hannaman, Harrow, Howard, Howell, Jackson, Jones, Lee of B., Miller, Moore, Murray, Phelps, Ristine, Smith, Stapp, Steele, Strain, Thompson of J., Vandever, Vawter, Walker of D., Walker of S. Watt, and Zenor—42.

And so said motion did not prevail.

Mr. Liston then moved to amend said bill as follows:

"That the three per cent. fund shall be distributed to the several counties in this State, in proportion to the number of polls in each county;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Boone, Brown, Clark of Wayne, Clark of Washington, Curtis, Hubbard, Johnston, Liston, Macey, McBean, McCarty, Morris, Posey, Ray, Strain, Thompson of A., Willett, and Zenor—18.

And those who voted in the negative are,

Messrs. Armstrong, Bardwell, Bennett, Carnan, Carr, Chamberlain, Chambers, Cole, Collins, Craig of M., Craig of P., Cushman, Dunning, Edmonston, Edwards, Eggleston, Gardner, Graham, Hannaman, Harrow, Howard, Howell, Huckleberry, Jackson, Jones, Lee of B., Mason, Miller, Moore, Murray, Phelps, Ristine, Smith, Stapp, Steele, Templeton, Thompson of J., Vandever, Vawter, Walker of D., Walker of S., and Watt—42.

And so said amendment was lost.

Mr. Thompson of A., moved to amend said bill as follows, to wit:

“That the three per cent. fund shall hereafter be distributed to each county, in proportion to the number of square miles therein.

Mr. Edmonston moved the previous question, which motion was seconded by a majority of all the members present:

And the question was thereupon put—shall the main question be now put?

And decided in the affirmative.

Whereupon, the question was put,

Shall said bill pass to a third reading?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Carr, Chambers, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of M., Craig of P., Cushman, Dunning, Edmonston, Eggleston, Gardner, Graham, Hannaman, Harrow, Howard, Howell, Hubbard, Huckleberry, Jackson, Jones, Lee of B., Miller, Moore, Murray, Phelps, Ristine, Smith, Steele, Strain, Thompson of J., Vandever, Vawter, Walker of D., Walker of S., Watt, and Zenor—41.

And those who voted in the negative are,

Messrs. Boone, Brown, Carnan, Chamberlain, Curtis, Edwards, Johnston, Liston, Macey, McBean, McCarty, Morris, Posey, Ray, Thompson of A., Willett, and Smith, Speaker—17.

And so said bill passed to the third reading.

Mr. Smith moved that the rules of the House be dispensed with, and that said bill be read the third time now.

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Carr, Chambers, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of M., Craig of P., Cushman, Dunning, Edmonston, Eggleston, Gardner, Graham, Hannaman, Howard, Howell, Hubbard, Huckleberry, Jackson, Jones, Lee of B., Miller, Moore, Murray, Phelps, Ristine, Smith, Steele, Strain,

Thompson of J., Vandever, Vawter, Walker of D., Watt, and Zenor—39.

And those who voted in the negative are,

Messrs. Boone, Brown, Carnan, Chamberlain, Curtis, Edwards, Johnston, Liston, Macey, Mason, McBean, McCarty, Morris, Posey, Ray, Templeton, Thompson of A., Willett, and Smith Speaker—19.

A majority of all the members elected, not having voted in the affirmative,

Mr. Morris (being in the chair) decided that the bill could not be read a third time now, from which decision of the Chair Mr. Dunning appealed to the House; and the question was then put,

Is the decision of the Chair correct?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Boone, Brown, Carnan, Chamberlain, Clark of Wayne, Edwards, Hubbard, Johnston, Liston, McBean, McCarty, Ray, Ristine, Thompson of A., Willett, and Smith, Speaker—16.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Carr, Chambers, Clark of Washington, Cole, Craig of M., Craig of P., Curtis, Cushman, Edmonston, Eggleston, Gardner, Graham, Hannaman, Howard, Howell, Huckleberry, Huntington, Jackson, Jones, Lee of B., Macey, Miller, Moore, Phelps, Posey, Smith, Stapp, Steele, Strain, Thompson of J., Vawter, Watt, Wilson, and Zenor—36.

And so said decision of the Chair was not sustained.

Mr. Brown moved to lay said bill on the table;

Which motion was negatived.

Said bill was then read the third time.

And the question was then put—shall said bill pass?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Bardwell, Bennett, Boone, Carr, Chambers, Clark of Wayne, Clark of Washington, Cole, Collins, Craig of M., Craig of P., Cushman, Edmonston, Eggleston, Gardner, Graham, Hannaman, Howard, Howell, Huckleberry, Huntington, Jackson, Jones, Lee of B., Miller, Moore, Phelps, Posey, Smith, Steele, Strain, Thompson of J., Vawter, Walker, of D., Walker of S., Watt, Wilson and Zenor—39.

And those who voted in the negative are,

Messrs. Brown, Chamberlain, Edwards, Harrow, Hubbard, Johnston,

Liston, Mason, McBean, McCarty, Morris, Ray, Ristine, Stapp, Thompson of A., Willett, and Smith, Speaker—17.

And so said bill passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence therein.

The engrossed bills of the Senate, Nos. 117, 118 and 119, named in said message,

Were severally read three times and passed, (the rules of the House having first been dispensed with.)

Ordered, That the Clerk inform the Senate thereof.

Mr. Stapp, from the committee of free conference, appointed on that subject, made the following report:

MR. SPEAKER—

The committee of free conference, appointed on the part of the two Houses, to confer together on the subject matter of difference between the two houses on the amendments made by the Senate to a bill of the House, entitled an act to provide an equitable mode of levying the taxes of this state, and the amendment by the House to the first amendment made by the Senate to said bill, have come to the following agreement, which I am directed to report to the House, to-wit:

1st. The House recedes from its amendment to the first amendment made by the Senate to said bill, and concurs in the same with the following amendment: after the word "bedding" in said amendment, insert these words, "not exceeding two to each family."

2d. The Senate recedes from its second amendment to said bill.

3d. The House of Representatives recedes from its disagreement to the 12th amendment made by the Senate to said bill;

Which was concurred in by the House.

Ordered, That the clerk inform the Senate thereof.

Mr. Jackson from the joint committee on enrolled bills, reported that they had compared the enrolled with the engrossed bills which originated in the House of Representatives of the following titles, to-wit:

No. 127—An act to incorporate the Miami bridge company;

No. 145—An act to revive and amend an act entitled an act to provide for the sale of certain lands therein named, app'd. Feb. 2, 1833.

No. 251—An act to amend an act entitled an act to prevent the sale of ardent spirits to the Indians, approved Feb. 3d, 1832;

Also the following bills which originated in the Senate:

No. 31—An act to amend an act incorporating congressional townships and providing for public schools therein, approved Feb. 20, 1833;

No. 64—An act for the relief of Elizabeth Nowland, widow of Matthias Nowland, deceased;

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, that the clerk carry them to the Senate for the signature of their President.

Mr. Huckleberry, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills of the Senate of the following titles, to-wit:

No. 103—An act to incorporate the Fulton company;

No. 93—An act to locate a state road in Posey county;

And find the same truly enrolled;

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their president.

A Message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has adopted the following resolution:

Resolved, That the House of Representatives be respectfully requested to return to the Senate the message of the Senate of yesterday, containing the bill of the House of Representatives [No. 233], changing the times of holding courts in the 5th judicial circuit.

The Senate has concurred in the report of the joint committee of free conference on the disagreeing votes of the two houses on the bill of the House of Representatives No. 216, to provide an equitable mode of levying the taxes of this state.

Mr. Johnston from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills, which originated in the House of Representatives, entitled as follows, viz:

No. 250—An act to amend an act to incorporate the Wayne and Union turnpike company, approved Feb. 7, 1835;

No. 161—An act supplemental to an act entitled an act to regulate the practice in suits at law, approved Jan. 29, 1831;

No. 20—An act to amend the act entitled an act to re-locate a certain state road in the counties of Hancock and Henry, approved Feb. 7, 1835, and for other purposes;

No. 10—An act to authorize certain persons therein named to erect a dam across St. Joseph river;

And find the same truly enrolled;

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their president.

On motion of Mr. Stapp,

Resolved, That the subject matter of the message asked to be returned to the Senate, to-wit: a bill No. 233, entitled an act changing the time of holding the courts within the 5th judicial circuit, is not now in possession of this House, and cannot therefore be returned to the Senate.

Ordered, That the clerk inform the Senate thereof.

Mr. Hubbard from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bill that originated in the Senate of the following title, to wit:

No. 91—An act to locate a state road from Greencastle in Putnam county via Carthage in said county to Martinsville in Morgan county; And find the same truly enrolled,

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry it to the Senate for the signature of their President.

Mr. Johnston from the joint committee on enrolled bills reported that they have compared the enrolled with the engrossed bills of the House of Representatives of the following titles, to wit:

No. 270—An act for the relief of Stephen Trickler;

No. 266—An act to vacate a part of the public common in the town of Spencer in the county of Owen;

No. 286—An act authorizing a relocation of a part of the Cumberland and Huntington state road;

No 306—An act to amend the act entitled an act to establish a state road from Martinsville in Morgan county, via Middletown in Owen county to John Chance's ferry on Eel river, thence to Haynes' old cabin in Vigo county, approved Jan. 31, 1835;

And the following bill originating in the Senate,

No. 87—An act to incorporate the Salem Savings Institution;

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their president.

A message from the Senate, by Mr. Foster, their assistant secretary:

Mr. SPEAKER—

The Senate have passed a bill from the House of Representatives (No. 282) entitled an act to incorporate the Connersville and Fort Wayne savings institutions and insurance companies, with an amendment thereto, which is by adding an additional section, (No. 23;)

In which the concurrence of the House is requested.

Which said amendment was read and concurred in.

Mr. Hubbard from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills that originated in the Senate with the following titles, to-wit:

No. 75—An act to amend an act entitled an act for the promotion of schools in and for the sale of lands belonging to the Vincennes donation tract, approved Feb. 7, 1835.

No. 112—An act to amend the several laws relative to domestic and foreign attachments;

No. 115—An act to vacate a part of the Mooresville, Danville, and Crawfordsville state road;

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their President.

A message from his Excellency the Governor, by Mr. Ketcham, his private Secretary:

Mr. SPEAKER—

I am directed by his Excellency the Governor to inform the House of Representatives, that on the 6th February 1836, he approved the acts entitled as follows:

No. 215—An act to organize the county of Noble;

No. 103—An act for the incorporation of Dublin;

No. 17—An act to incorporate the Lawrenceburgh and Harrison turnpike company;

No. 170—An act to incorporate the town of Milton in Wayne county;

No. 237—An act to change the name of Middletown in the county of Tippecanoe to West Point;

A message from the Senate by Mr. Foster, their assistant secretary:

Mr. SPEAKER—

The Senate have passed the engrossed bill of the House of Representatives, entitled as follows:

No. 211—An act for the survey of a turnpike road from Mount Vernon to Princeton.

And the House adjourned.

2 o'clock, P. M.

The House met.

Mr. Brown, having obtained leave, presented

A bill [No. 316] to amend the act entitled an act to change the time of holding courts in the first circuit.

Mr. Phelps, having obtained leave, presented

A bill [No. 317] declaring a certain road therein named, a state road.

Mr. Thompson of A., having obtained leave, presented

A bill [No. 319] to incorporate the Kraco steam mill and manufacturing company; and also

A bill [No. 321] to establish a certain state road;

Which were severally read three times and passed, (the rules of the House having first been dispensed with.)

Ordered, That they be entitled acts and that the clerk carry them to the Senate and ask their concurrence therein.

Mr. Moore, having obtained leave, presented

A memorial and joint resolution [No. 318] to the Congress of the United States, and

Mr. Mason, having obtained leave, presented

A joint resolution [No. 320] on the subject of the militia;

Which were severally three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof and ask their concurrence therein.

Mr. Willett, from the committee of Ways and means, made a report in relation to the finances, &c.; when,

On motion of Mr. Stapp,

Resolved, That the reports and documents be printed, and an equal number thereof be sent by the Secretary of State, through the mail, to each member of the Senate and House of Representatives.

Mr. Willett, having obtained leave, presented the remonstrance of sundry Citizens of the county of Rush, against the petition heretofore presented, praying an additional justice of the peace in Anderson township in said county of Rush;

Which, on his motion, was laid on the table.

MR. SPEAKER—

The Senate has passed bills of the House of Representatives, with amendments to each, of the following titles &c.

No. 271—An act to incorporate the Lafayette Insurance Company;

No. 144—An act to incorporate the New Albany Savings Institution;

In which amendments the concurrence of the House of Representatives is requested.

The amendments of the Senate to the Engrossed bill of the House of Representatives [No. 271] named in said message, were read and concurred in by the House.

On motion of Mr. Stapp,

The House disagreed to the amendments of the Senate to the bill named in the message [No. 144.]

Ordered, That the clerk inform the Senate thereof.

Mr. Johnston from the joint committee on enrolled bills, reported that they did, on this day, present to his Excellency the Governor, for his approval and signature, bills of the Senate of the following titles, viz:

No. 31—An act to amend an act incorporating congressional townships and providing for public schools therein, approved Feb. 2, 1833;

No. 71—An act to incorporate the Troy Savings Institution and Insurance Company;

No. 62—An act to incorporate the Clark county Trading and Manufacturing company?

No. 64—An act for the relief of Elizabeth Nowland, widow of Matthias Nowland, deceased;

No. 75—An act to amend an act entitled an act for the promotion of schools in, and for the sale of lands belonging to the Vincennes donation tract, approved February 7, 1835;

No. 87—An act to incorporate the Salem Savings Institution;

No. 92—An act to incorporate the Charlestown Savings Institution;

No. 93—An act to locate a state road in Posey county;

No. 103—An act to incorporate the Fulton company;

No. 105—An act to incorporate the Websterian Social Library;

No. 108—An act to authorize certain Individuals therein to build a toll bridge across the Kankakee river;

No. 109—An act to provide for the election of a justice of the peace in or near Milroy in Rush county;

No. 112—An act to amend the several laws relative to domestic and foreign attachments;

No. 115—An act to vacate a part of the Mooresville, Danville, and Crawfordsville state road;

No. 233—An act to change the time of holding courts in the fifth judicial circuit;

Mr. Johnston from the joint committee on enrolled bills, reported that they did on this day present to the Governor, for his approval and signature, bills of the following titles, viz:

No. 10—An act to authorize certain persons therein named to erect a dam across the St. Joseph river;

No. 20—An act to amend the act entitled an act to re-locate a certain state road in the counties of Hancock and Henry, approved Feb. 7, 1835, and for other purposes;

No. 87—An act to incorporate the northern insurance company;

No. 127—An act to incorporate the Miami Bridge company;

No. 145—An act to revive and amend an act entitled an act to provide for the sale of certain lands therein named;

No. 161—An act supplemental to an act entitled an act to regulate the practice in suits at law, approved January 29, 1831;

No. 228—An act appropriating so much of the 3 per cent. fund as is now due to Greene county;

No. 250—An act to amend an act entitled an act to incorporate the Wayne and Union turnpike company, approved February 7, 1835; and to incorporate the Rush, Fayette, and Union turnpike company;

No. 251—An act to amend an act entitled an act to prevent the sale of ardent spirits to Indians, approved Feb. 3, 1832;

No. 266—An act to vacate a part of the public common in the town of Spencer in the county of Owen;

No. 270—An act for the relief of Stephen Frickle,

No. 286—An act authorizing the re-location of a part of the Cumberland and Knightstown state road;

No. 306—An act to amend the act entitled an act "to establish a state road from Martinsville, in Morgan county, via Middletown in

Owen county, to John Chances' Ferry on Eel river, thence to Haynes' old cabin, in Vigo county," approved January 31st, 1835;

Mr. Johnston from the joint committee of enrolled bills, reported that they have compared the enrolled with the engrossed bill originating in the House of Representatives, of the following title, to-wit:

No. 233—An act to change the time of holding courts in the 5th judicial circuit;

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry it to the Senate for the signature of the president thereof.

Mr. Huckleberry from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills of the Senate of the following titles, to-wit:

No. 62—An act to incorporate the Clarke County Trading and Manufacturing Company;

No. 92—An act to incorporate the Charlestown savings institution;

And find the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of the president thereof.

Mr. Johnston moved to take from the table the engrossed bill of the Senate No. 54, to provide that certain citizens may procure land,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bennett, Brown, Chamberlain, Collins, Craig of M., Curtis, Gardner, Hubbard, Johnston, Lee of B., Mason, McCarty, Morris, Stapp, Strain, Thompson of J., Walker of S., Watt, and Smith, Speaker—18.

And those who voted in the negative are,

Messrs. Armstrong, Boone, Carr, Clark of Washington, Cole, Cushman, Edwards, Harrow, Huckleberry, Jones, McBean, Moore, Ray, Steele, Thompson of L., Walker of D., Willett, and Zenor—19.
And so said bill was not taken from the table.

Mr. Johnston from the joint committee on enrolled bills reported that they have compared the enrolled with the engrossed bills of the House of Representatives of the following titles, to-wit:

No. 211—An act for the survey of a turnpike road from Mount Vernon to Princeton,

No. 73—An act to empower Alexis Coquillard and others to drain off the water of the Kankakee ponds;

No. 268—A joint memorial and resolution on the subject of the Wabash and Erie canal;

No. 272—An act to renew the corners, stakes, and boundaries of the town of Greenfield, the seat of justice of Hancock county;

No. 277—An act to vacate the town of Cynthiana in Hamilton county;

No. 289—A joint resolution to extend the time of the public printing for 1835--6;

No. 274—An act authorizing the inhabitants of New Town in Fountain county, to become incorporated;

And the following which originated in the Senate, to-wit:

No. 114—An act to authorize the loaning of the moneys of congressional townships, which may be paid into the treasury;

No. 76—An act for the improvement of the Michigan road and for other purposes;

No. 85—An act to change the mode of doing county business in the county of Washington and for other purposes;

And find the same truly enrolled;

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their president.

Mr. Ray moved to take from the table the engrossed bill of the Senate No. 54 to provide that certain persons may obtain land;

Which motion was decided in the negative.

Mr. Hubbard from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills that originated in the Senate of the following titles, to-wit:

No. 77—An act in relation to certain sections of the Wabash and Erie Canal;

No. 71—An act to incorporate the Troy savings institution and insurance company,

And find the same truly enrolled;

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their president.

Mr. SPEAKER—

The Senate have passed engrossed bills of the Senate of the following titles, viz:

No. 55—An act to provide for the appointment of a keeper of the state house;

No. 68—A bill to amend the act entitled an act for the relief of the poor, approved February 10, 1831; and,

No. 120—A bill to incorporate the town of Bellville in Hendricks county;

In all which they ask the concurrence of the House of Representatives.

The Senate has concurred in all the amendments of the House of Representatives, to the following bills of the Senate, viz:

No. 8—To repeal the act entitled an act to amend the several acts regulating jurisdiction and duties of justices of the peace in the several counties herein named, approved Feb. 7, 1835, so far as the provisions thereof extend to the counties of Orange and Washington;

No. 69—An act to incorporate the Peru and Wabash bridge company;

No. 116—An act to appropriate to the several counties in this state a part of the three per cent. fund;

No. 56—An act to amend an act entitled an act to regulate the mode of doing county business in the several counties of this state;

No. 59—An act to incorporate the Rome savings institution.

The engrossed bill of the Senate No. 55, named in said message,

Was twice read, (the rules of the House having first been dispensed with), and,

On motion of Mr. Huntington,

Amended; when,

On motion,

Said bill was laid on the table.

The engrossed bill of the Senate No. 68 therein named, was twice read (the rules of the House being suspended), and,

On motion of Mr. Willett,

Laid on the table.

The engrossed bill of the Senate No. 120, named in said message,

Was three times read and passed, (the rules of the House having first been dispensed with.)

Ordered, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed bills of the following titles which originated in the House of Representatives, with amendments to each;

No. 33—An act to amend an act entitled "an act directing the mode of suing out writs of habeas corpus," approved Jan. 12, 1828;

No. 204—An act to incorporate the White River Bridge Company;

No. 208—An act to incorporate the Bedford Insurance Company;

No. 267—An act to incorporate the Jeffersonville and New Albany Canal Company;

No. 293—An act to incorporate the Evansville Insurance Company;

No. 296—An act making specific appropriations for the year 1836;

Also a joint resolution of the House of Representatives entitled,

No. 288—A joint resolution on the subject of the Ohio and Charleston rail road;

In which amendments the concurrence of the House of Representatives is requested.

The amendments of the Senate to the engrossed bills of the House of Representatives;

No. 204, 288, and 267 were severally concurred in by the House;

The House agreed to the 12, 23, 24 and 26th amendments of the Senate to the bill of the House of Representatives;

No. 296, named in said message, with amendments to each,

And on motion,

The House disagreed to the 17th amendment of said bill.

The residue of said amendments were severally read and concurred in by the House.

And the House adjourned until 7 o'clock, this evening.

7 o'clock P. M.

The House met.

On motion of Mr. Willett,

The bill of the Senate (No. 55), to provide for the appointment of a Keeper of the State house, was taken from the table and read the third time.

And the question was then put, shall said bill pass?

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Armstrong, Boone, Brown, Carr, Chamberlain, Clark of Wayne, Cole, Collins, Craig of M., Cushman, Eggleston, Hannaman, Harrow, Howard, Hubbard, Huckleberry, Huntington, Jackson, Johnston, Jones, Lee of B., Liston, Mason, McBean, McCarty, Miller, Moore, Morris, Phelps, Posey, Ristine, Smith, Stapp, Steele, Thompson of A., Thompson of J., Thompson of L., Walker of D., Walker of S., Willett, Zenor, and Smith, Speaker—42.

And those who voted in the negative are,

Messrs. Bardwell, Bennett, Clark of Washington, Curtis, Ray and Strain—6.

And so said bill passed.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Foster their assistant Secretary.

Mr. SPEAKER—

The Senate has passed an engrossed bill entitled

No. 24—An act to amend "an act for opening and repairing public roads and highways," approved February 10, 1831;

In which the concurrence of the House of Representatives is requested.

Which said bill was twice read, and

On motion of Mr. Bennett, laid upon the table.

A message from the Senate by Mr. Morrison their principal Secretary:

MR. SPEAKER—

The Senate has passed, with one amendment, the engrossed bill of the House of Representatives, (No. 311), entitled an act making general appropriations for 1836;

In which amendment the concurrence of the House of Representatives is requested.

The amendment of the Senate, to said bill, was read and concurred in by the House.

Mr. Johnston from the joint committee on enrolled bills, made the following report, to-wit:

MR. SPEAKER—

The joint committee on enrolled bills report, That they did, on this day, present to his Excellency, the Governor, for his approval and signature, bills of the Senate of the following titles, to-wit:

No. 76—An act for the improvement of the Michigan road and for other purposes;

No. 77—An act in relation to certain sections of the Wabash and Erie Canal.

No. 85—An act to change the mode of doing county business in the county of Washington, and for other purposes;

No. 114—An act to authorize the loaning of the monies of Congressional townships which may be paid into the treasury;

Also bills and joint resolutions of the House of Representatives, of the following titles, to-wit:

No. 73.—An act to empower Alexis Coquillard and others to drain off the water of the Kankakee Ponds;

No. 211—An act for the survey of a turnpike road from Mount Vernon to Princeton;

No. 288—A memorial and joint resolution on the subject of the Wabash and Erie Canal;

No. 272—An act to renew the corners, stakes, and boundaries of the town of Greenfield, the seat of justice of Hancock county;

No. 274—An act authorizing the inhabitants of Newtown, in Fountain county to become incorporated;

No. 277—An act to vacate the town of Cynthiana in Hamilton county;

No. 289—A joint resolution to extend the time of the public printing for 1835-6;

A message from the Senate by Mr. Morrison their principal Secretary.

MR. SPEAKER—

The Senate has passed, without amendment, engrossed bills of the House of Representatives, entitled as follows:

No. 305—An act to incorporate the Princeton and Wabash rail road company;

No. 278—An act to incorporate the Brownstown turnpike company;

No. 195—An act providing for the incorporation of the Freedom Steam mill company;

No. 249—An act to incorporate the Bloomington Savings Institution;

No. 284—An act supplementary to an act entitled an act to amend the act entitled an act establishing a State Bank, approved Jan. 1836.

No. 313—An act appropriating certain portions of the 3 per cent. fund in Dearborn county;

A message from the Senate, by Mr. Morrison their principal Secretary:

MR. SPEAKER—

The Senate has insisted on its 17th amendment of the engrossed bill from the House of Representatives (No. 296), entitled "an act making specific appropriations for the year 1836," and concurred in the amendments of House of Representatives made to the 26th amendment of the Senate, except the one marked 12th, to which the Senate has disagreed.

The Senate have appointed Messrs. Shaw and Maston a committee of free conference on the part of the Senate, to take into consideration, in conjunction with a similar committee on the part of the House, the subject matter of difference between the two Houses thereon, and request a similar committee on the part of the House.

On motion of Mr. Morris,

The House of Representatives continued to insist on their disagreement to the 17th amendment of the Senate to said bill (No. 296) named in said message, and

Messrs. Ray and Huntington were appointed a committee of free conference on the part of the House, to take into consideration, in conjunction with the committee on the part of the Senate, the disagreeing votes of the two Houses on the said 17th amendment of the Senate to said bill, and

On motion of Mr. Morris,

The House insisted on their 12th amendment to the 26th amendment of the Senate to said bill, and

Messrs. Morris and Thompson of L. were appointed a committee of free conference on the part of the House of Representatives, to take into consideration, with a similar committee to be appointed on the part of the Senate, the disagreeing votes between the Houses on said amendment of the House of Representatives to the 26th amendment of the Senate to said bill.

Ordered, That the clerk inform the Senate thereof, and a similar committee on their part requested.

A message from the Senate, by Mr. Morrison their principal Secretary:

The Senate has concurred in the amendment of the House of Representatives to the bill of the Senate,

No. 55—Entitled an act to provide for the appointment of a keeper of the state house;

And passed engrossed bills from the House of Representatives of the following titles:

No. 125—An act to amend an act entitled an act relative to crime and punishment, approved Feb. 10, 1831;

No. 315—An act relative to the commissioners of the canal fund; the first with, and the latter without amendment.

The Senate continues to insist on its disagreement to the 12th amendment of the House of Representatives to the 26th amendment of the Senate to the engrossed bill of the House of Representatives, No. 296, entitled an act making specific appropriations for the year 1836, and have appointed Messrs. Thompson and Whitcomb a committee of free conference on the disagreeing votes of the two Houses on the said 12th amendment of the House to the 26th amendment of the Senate.

Mr. Ray from the committee of free conference on that subject, made the following report:

The committee of free conference appointed upon the part of the House of Representatives, to take into consideration with a similar committee on the part of the Senate, the disagreeing votes of the two Houses on the 17th amendment of the Senate to the bill of the House making specific appropriations for the year 1836, and the 12th amendment of the House to an amendment of the Senate to said bill report that they have had the subject matter of disagreement under consideration and are unable to agree upon the same, and ask to be discharged from the further consideration thereof;

Which said committee was so discharged.

On motion,

The House of Representatives continued to insist on their disagreement to the 17th amendment of the Senate to said bill;

And Messrs. Willeit and Johnston were appointed on the part of the House of Representatives, a committee of free conference to take into consideration in conjunction with a similar committee to be appointed on the part of the Senate, the disagreement of the two Houses thereon.

Ordered, That the clerk inform the Senate and a similar committee on their part be requested.

A message from the Senate by Mr. Foster their assistant Secretary:

Mr. SPEAKER—

The Senate has passed engrossed bills of the House of Representatives as follows, to-wit:

No. 317—An act to declare two certain roads therein named, state roads;

No. 319—An act to incorporate the Cracow steam mill and manufacturing company.

A message from the Senate by Mr. Foster their assistant Secretary:

Mr. SPEAKER—

The Senate has concurred in the amendment of the House of Representatives to the amendment of the Senate to the engrossed bill of the House of Representatives No. 267, entitled an act to incorporate the Jeffersonville and New Albany canal company.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has continued to insist on its 17th amendment to the engrossed bill from the House of Representatives entitled an act making specific appropriations for 1836, and having discharged its first committee of free conference, has appointed Messrs. Morgan and Hillis a like committee to take into consideration the disagreement of the two Houses on said amendment and request a similar committee on the part of the House.

Mr. Thompson of L., from the joint committee of free conference made the following report:

Mr. SPEAKER—

The committee of free conference to whom was referred the disagreement between the House of Representatives and the Senate in relation to the 12th amendment of the House to the 26th amendment of the Senate to the bill of the House entitled a bill making specific appropriations for the year 1836, have had the same under consideration and a majority of said committee have agreed to recommend the appropriation of \$100 per annum to the Secretary, Treasurer, and Auditor of State each, as an extra allowance for clerk hire, to said officers; Which was concurred in by the House.

Ordered, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Morrison, their principal Secretary:

Mr. SPEAKER—

The Senate has passed the engrossed bill No. 321, from the House of Representatives, entitled an act to establish a certain state road, without amendment.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed without amendment engrossed bills from the House of Representatives:

No. 314—Entitled an act to incorporate the Eel river bridge company,

No. 302—An act for the relief of Elias Murray;

No. 309—An act authorizing the location of a state road;

No. 113—An act to extend the provisions of an act therein named to Bartholomew county;

No. 308—An act to change the name of the town of Carthage in Putnam county;

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has passed without amendment an engrossed bill of the House of Representatives,

No. 216—Entitled an act to amend the act entitled an act to change the time of holding the courts in the first circuit.

A message from the Senate by Mr. Morrison their principal Secretary:

The Senate has refused to concur in the report of the joint committee of free conference appointed on the 12th amendment of the House of Representatives to the 26th amendment of the Senate to the engrossed bill from the House of Representatives, (No. 296) entitled an act making specific appropriations for 1836, has discharged its committee and continue to insist on said 12th amendment to 26th amendment, and appointed Messrs. Morgan and Boone a like committee of free conference to take the subject matter of difference into consideration, and a similar committee is requested on the part of the House of Representatives.

On motion,

The House of Representatives continued to insist on their 12th amendment to the 26th amendment of the Senate to said bill, and

Messrs. Willett and Johnston were appointed a committee of free conference on the part of the House of Representatives, to take into consideration, in conjunction with the committee on the part of the Senate, the subject matter of the disagreeing votes of the two Houses thereon.

Ordered, That the clerk inform the Senate thereof.

Mr. Hubbard, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills, of the Senate of the following titles, to wit:

No. 36—An act to amend the act for opening and repairing public roads and highways, approved Feb. 10, 1831;

No. 56—An act to amend an act entitled an act to regulate the mode of doing county business in this state;

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Johnston, from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bills of the Senate of the following titles, to wit:

No. 53—An act relative to county orders in the county of Parke;

No. 119—An act to attach the counties of Lake and Whitley to organized counties for judicial purposes;

No. 8—An act to repeal the act entitled an act to amend the several acts regulating the jurisdiction and duties of justices of the peace in the several counties herein named, approved Feb. 7, 1835, so far as the provision thereof relates to the county of Washington;

And find the same truly enrolled.

Whereupon, the Speaker signed the same.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Willett, from the joint committee of free conference on that subject, made the following report:

Mr. SPEAKER—

The committee of free conference, to which was referred the disagreeing votes of the two Houses on the 12th amendment of the House to the 26th amendment of the Senate to the bill (No. 296) of the House, making specific appropriations for the year 1836; have agreed to strike out of the amendment of the House, the words "and fifty," leaving the allowance to the Secretary of State one hundred dollars.

And also on the 17th amendment of the Senate, have agreed to strike out the Senate's amendment, all the allowance to said reporter, and insert as follows, viz:

"That F. W. Emmons be allowed one hundred and twenty dollars for his services as reporter of the proceedings of the Senate during the present session of the General Assembly."

So much of said report as relates to the 12th amendment of the

House of Representatives to the 26th amendment of the Senate to said bill of the House of Representatives, (296) was concurred in.

Mr. Willett moved that the House concur in the residue of said report,

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Mesrrs. Boone, Brown, Collins, Eggleston, Hannaman, Harrow, Hubbard, Jackson, Johnston, Jones, Lee of B., Mason, Macey, McBean, Miller, Morris, Ray, Ristine, Stapp, Steele, Thompson of L., Willett, and Smith, Speaker—22.

And those who voted in the negative are,

Messrs. Armstrong, Bennett, Clark of Wayne, Clark of Washington, Craig of M., Curtis, Cushman, Edwards, Howard, Huntington, McCarty, Phelps, Strain, Thompson of A., Walker of D., Walker, of S., Watt, Wilson, and Zenor—19.

And so said report was concurred in.

A message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has concurred in the several reports of the joint committee of free conference on the disagreeing votes of the two Houses on the 12th amendment of the House of Representatives to the 26th amendment of the Senate, and the 17th amendment of the Senate to the engrossed bill from the House of Representatives, (No. 296) entitled an act making specific appropriations for 1836.

And the House adjourned until Monday morning 5 o'clock.

MONDAY, FEBRUARY 8, 1836.

The House met.

Mr. Johnston from the joint committee on enrolled bills, reported that they had compared the enrolled with the engrossed bills of the House of the following titles, to wit:

No. 189—An act to incorporate the South Bend mutual insurance company;

No. 279—An act to incorporate the Bethlehem Savings Institution;

No. 249—An act to incorporate the Bloomington savings institution;

No. 282—An act to incorporate the Connersville and Fort Wayne savings institutions and insurance companies;

No. 33—An act to amend an act entitled an act directing the mode of suing out writs of habeas corpus, app'd. Jan. 12, 1828;

No. 308—An act to change the name of the town of Carthage in Putnam county;

No. 315—An act relative to the commissioners of the canal fund;

No. 319—An act to incorporate the Kraco county steam mill and manufacturing company;

No. 309—An act authorizing the location of a state road;

Also the following bills which originated in the Senate entitled acts, as follows, viz:

No. 55—An act for the appointment of a keeper of the state house;

No. 69—An act to incorporate the Peru and Wabash bridge company;

No. 94—An act to incorporate the Rockport savings institution;

No. 116—An act to appropriate to the several counties in this state a part of the 3 per cent. fund;

No. 298—An act authorizing Amasa Makepeace to apply for a writ of *ad quod damnum*, to establish a mill on White river, in the county of Madison;

No. 300—An act to authorize an additional justice of the peace for Franklin township, in Marion county;

No. 301—An act to authorize the Board doing county business of the county of Franklin, to lay off a street in the town of Brookville in said county;

No. 304—An act supplemental to an act establishing as a state road the county road from Livonia to Geo. Beck's, approved Jan. 30, 1836;

No. 80—An act to amend an act entitled "An act to amend an act to regulate the mode of doing county business in this State," approved February 7, 1835;

No. 163—A joint resolution on the subject of a geological survey of the State;

No. 182—An act to allow additional compensation to officers of elections;

No. 283—An act to authorize the citizens of Madison township, in the county of Morgan, to elect an additional justice of the peace;

No. 291—An act to authorize the Recorder of Boon county to record the plat of Jamestown, and for other purposes;

No. 117—An act to incorporate the Franklin, Fayette and Rush Turnpike company;

No. 118—An act providing for the correction of a mistake in a deed therein mentioned for part of the plat of the town of Newport, and for other purposes;

No. 107—An act to incorporate the Lagrange county manufacturing company;

Also the bills of the House of Representatives entitled as follows:

No. 314—An act to incorporate the Eel river bridge company;

No. 216—An act to amend an act entitled an act to change the time of holding the courts in the first circuit;

No. 317—An act to declare two certain roads therein named, state roads;

No. 78—An act amendatory of an act entitled 'an act relative to county seminaries, approved February 4, 1831;

No. 214—An act regulating the mode of doing county business in the counties of Daviess and Martin;

No. 234—An act to incorporate the town of New York in Switzerland county;

No. 294—An act to record and incorporate Wilson's addition to the town of Crawfordsville;

Also bills of the Senate of the following titles, to-wit:

No. 59—An act to incorporate the Rome savings institution;

No. 120—An act to incorporate the town of Bellville, in Hendricks county;

And also the following bills of the House of Representatives of the following titles, to-wit:

No. 257—An act to incorporate the Michigan City;

No. 65—An act to authorize the appointment of a special county agent;

No. 292—An act to incorporate the Vernon savings institution;

No. 216—An act to provide for an equitable mode of levying the taxes of this state;

No. 230—An act to attach the county of Morgan to the 15th brigade of Indiana militia;

No. 253—An act for the incorporation of the town of Knightstown;

No. 287—An act to authorize the state agent of Indianapolis to make a deed to a certain lot of land adjoining Indianapolis to Wilks Ragan;

No. 293—An act to incorporate the Evansville insurance company;

No. 296—An act making specific appropriations for the year 1836;

No. 113—An act to extend the provisions of an act therein named to Bartholomew county;

No. 195—An act providing for the incorporation of the Fredonia steam mill company;

No. 267—An act to incorporate the Jeffersonville and New Albany canal company;

And have found the same truly enrolled:

Whereupon,

The Speaker signed the same.

Ordered, That the clerk carry the same to the Senate for the signature of their president.

Mr. Johnson from the joint committee on enrolled bills made the following report:

Mr. SPEAKER—

The joint committee on enrolled bills report That they did, on the 6th inst. present to his Excellency, the Governor, for his approval and signature, bills of the House of Representatives, of the following titles, to-wit:

No. 279—An act to incorporate the Bethlehem Savings Institution;
 No. 189—An act to incorporate the South Bend Mutual Insurance Company;

No. 249—An act to incorporate the Bloomington Savings Institution;

No. 282—An act to incorporate the Connersville and Fort Wayne Saving Institution and Insurance companies;

No. 33—An act to amend an act entitled "an act directing the mode of suing out writs of habeas corpus," approved January 12, 1828;

No. 308—An act to change the name of the town of Carthage, in Putnam county;

No. 315—An act relative to the commissioners of the canal fund;

No. 319—An act to incorporate the Kraco steam mill and manufacturing company;

No. 309—An act authorizing the location of a state road;

Also the following bills which originated in the Senate of the following titles, to-wit:

No. 55—An act to provide for the appointment of a Keeper of the State house;

No. 69—An act to incorporate the Peru and Wabash bridge company;

No. 94—An act to incorporate the Rockport Savings Institution;

No. 116—An act to appropriate to the several counties in this state, a part of the three per cent fund;

No. 117—An act to incorporate the Franklin, Fayette, and Rush turnpike company;

No. 118—An act providing for the correction of a mistake in a deed therein mentioned for part of the plat of the town of Newport, and for other purposes;

No. 107—An act to incorporate the Lagrange county manufacturing company;

Also the following bills of the House of Representatives of the following titles, to-wit:

No. 314—An act to incorporate the Eel river bridge company;

No. 216—An act to amend an act entitled "an act to change the times of holding the courts in the first circuit;

No. 317—An act to declare two certain roads therein named, state roads;

No. 78—An act amendatory of an act entitled an act relative to county seminaries; approved February 4, 1831;

No. 14—An act regulating the mode of doing county business in the counties of Daviess and Martin;

No. 234—An act to incorporate the town of New York, in Switzerland county;

No. 294—An act to record and incorporate Wilson's addition to the town of Crawfordsville;

Also bills of the Senate of the following titles, to-wit:

No. 59—An act to incorporate the Rome Savings Institution;

No. 120—An act to incorporate the town of Belleville, in Hendricks county;

And also the following bills of the House of Representatives, to-wit:

No. 257—An act to incorporate Michigan City;

No. 65—An act to authorize the appointment of a special county agent;

No. 292—An act to incorporate the Vernon Savings Institution;

No. 216—An act to provide an equitable mode of levying the taxes of this state;

No. 230—An act to attach the county of Morgan to the 15th Brigade of Indiana Militia;

No. 287—An act to authorize the State Agent of Indianapolis to make a deed to a certain lot of land adjoining Indianapolis, to Wilks Reagan;

No. 293—An act to incorporate the Evansville Insurance company;

No. 296—An act making specific appropriations for the year 1836;

No. 113—An act to extend the provisions of an act therein named, to Bartholomew county;

No. 195—An act providing for the incorporation of the Fredonia Steam Mill company;

No. 267—An act to incorporate the Jeffersonville and New Albany Canal company;

Mr. Johnston from the joint committee on enrolled bills reported that they did, on the 6th inst. present to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

No. 8—An act to repeal the act entitled "an act to amend the several acts regulating the jurisdiction and duties of Justices of the Peace in the several counties herein named," approved February 7, 1835, so far as the provision thereof relates to the county of Washington.

No. 119—An act attaching the counties of Lake and Whitley to organized counties for judicial purposes;

No. 91—An act to locate a state road from Greencastle, in Putnam county, via Carthage in said county to Martinsville, in Morgan county;

No. 53—An act relative to county orders in the county of Parke;

No. 56—An act to amend an act entitled "an act to regulate the mode of doing county business in the several counties in this state;"

No. 36—An act to amend the act for opening and repairing public roads and highways; approved February 10, 1831.

Mr. Hubbard, from the joint committee on enrolled bills, reported, that they have compared the enrolled with the engrossed bills that originated in the House of Representatives, of the following titles, to wit:

No. 231—An act to incorporate the Vincennes Manufacturing Company;

No. 203—An act to incorporate the Indianapolis Insurance Company;

No. 125—An act to amend an act entitled an act relative to crime and punishment, approved February 10th, 1831;

No. 204—An act to incorporate the White river Bridge company;

No. 320—An act to establish a certain state road;

No. 254—An act to change the line dividing the counties of Jefferson and Clark.

- No. 257—An act to authorize the election of an additional justice of the peace in the county of Jefferson;
- No. 259—An act to legalize the marriage of Derastus Fry and Miss Snodgrass, of Hancock county;
- No. 60—An act to amend the charter and define the powers and duties of the president and trustees of the town of Evansville;
- No. 187—An act to incorporate the Vevay and Napoleon, and other turnpike companies;
- No. 281—An act to incorporate the Winchester Turnpike company;
- No. 278—An act to incorporate the Brownstown turnpike company;
- No. 305—An act to incorporate the Princeton and Wabash rail road company;
- No. 243—An act relating to state roads;
- No. 208—An act to incorporate the Bedford Insurance Company;
- No. 271—An act to incorporate the Lafayette Insurance Company;
- No. 307—An act to establish a state road west of the Wabash river, in Vigo county;
- No. 173—An act to incorporate the Western Scientific and Agricultural College;
- No. 313—An act appropriating certain portions of the three per cent. fund in Dearborn county;
- No. 284—An act supplemental to an act entitled an act to amend the act entitled an act establishing a state bank, approved January, 1836, providing for a branch of the state bank east of the Lafayette branch and west of the Fort Wayne branch;
- No. 302—An act for the relief of Elias Murray;
- No. 311—An act making general appropriations for the year 1836;
- No. 238—A joint resolution on the subject of the Ohio and Charleston rail road;
- No. 196—An act regulating the jurisdiction of justices of the peace in the counties of Bartholomew and Delaware;
- No. 264—An act to amend an act entitled "an act to locate a state road from Leavenworth town in Crawford county to Salem in Washington county; approved January 8, 1835.
- No. 256—An act to amend an act entitled "an act for the relief of the poor," approved February 10, 1831.
- No. 260—An act to repeal so much of an act entitled "an act to amend an act to regulate the mode of doing county business in this state," approved January 19th, 1831, as relates to the county of Allen;
- No. 262—An act to legalize the Rising Sun Dearborn county Agricultural Society;
- No. 72—An act to incorporate the Madison Hotel Company;
- No. 255—An act to locate and improve certain state roads therein named;
- And find the same truly enrolled;
- Whereupon the Speaker signed said bills.
- Ordered*, That the clerk carry them to the Senate for the signature of the President of the Senate.

Mr. Hubbard from the joint committee on enrolled bills, reported that they have presented to his excellency, the Governor, for his approval and signature enrolled bills which originated in the House of Representatives entitled as follows:

- No. 231—An act to incorporate the Vincennes manufacturing company;
- No. 203—An act to incorporate the Indianapolis insurance company;
- No. 125—An act to amend an act entitled an act relative to crime and punishment, approved Feb. 10, 1831;
- No. 204—An act to incorporate the White river bridge company;
- No. 320—An act to establish a certain state road;
- No. 254—An act to change the line dividing the counties of Jefferson and Clark;
- No. 257—An act to authorize the election of an additional justice of the peace in the county of Jefferson;
- No. 259—An act to legalize the marriage of Derastus Fry and Miss Snodgrass of Hancock county;
- No. 60—An act to amend the charter and define the powers and duties of the President and Trustees of the town of Evansville;
- No. 264—An act to amend an act entitled an act to locate a state road from Levenworth town in Crawford county to Salem in Washington county, approved Feb. 10, 1831;
- No. 256—An act to amend an act entitled an act for the relief of the poor, approved Feb. 10, 1831;
- No. 260—An act to repeal so much of an act entitled an act to regulate the mode of doing county business in this state, approved Feb. 19, 1831, as relates to the county of Allen;
- No. 262—An act to legalize the Rising Sun Dearborn county agricultural society;
- No. 302—An act for the relief of Elias Murray;
- No. 284—An act supplemental to an act entitled an act to amend the act establishing a State Bank, approved Jan. 1836, providing for a branch of the State Bank east of the Lafayette Branch and west of the Fort Wayne Branch;
- No. 311—An act making general appropriations for the year 1836;
- No. 196—An act regulating the jurisdiction of justices of the peace in the counties of Bartholomew and Delaware;
- No. 313—An act appropriating certain portions of the three per cent fund in Dearborn county;
- No. 187—An act to incorporate the Vevay and Napoleon and other turnpike companies;
- No. 288—A joint resolution on the subject of the Ohio and Charleston rail road;
- No. 281—An act to incorporate the Winchester turnpike company;
- No. 278—An act to incorporate the Brownstown turnpike company;
- No. 305—An act to incorporate the Princeton and Wabash rail road company;
- No. 243—An act relative to state roads;

- No. 208—An act to incorporate the Bedford insurance company;
 No. 271—An act to incorporate the Lafayette insurance company;
 No. 307—An act to establish a state road west of the Wabash river in Vigo county;
 No. 173—An act to incorporate the western scientific and agricultural society;
 No. 72—An act to incorporate the Hanover steam mill company;
 No. 255—An act to locate and improve certain state roads therein named.

On motion of Mr. Brown,

Resolved, That a committee of two be appointed on the part of this House to act with a similar committee on the part of the Senate, to wait upon the Governor and inform him that both Houses of the general assembly have completed the legislative business of the present session, and are now ready to adjourn without day, if he has no further communication to make to them, and that the Senate be informed of the adoption of this resolution, and a similar one on their part be requested.

Whereupon,

The Speaker appointed Messrs. Brown and Johnston that committee.

A Message from the Senate by Mr. Morrison their principal Secretary:

Mr. SPEAKER—

The Senate has reciprocated the resolution of the House of Representatives, appointing a committee to wait on his excellency the Governor, to inform him that both Houses of the General Assembly have gone through their legislative business, and are now ready to adjourn *sine die*, if he has no further communication to make to them, and has appointed Messrs. Sigler and Tannehill a committee for that purpose on the part of the Senate.

A message from his excellency, the Governor, by Mr. Ketcham his private Secretary:

Mr. SPEAKER—

I am directed by his excellency the Governor to inform the House of Representatives, that on 6th Feb. 1836, he approved the acts and joint resolutions entitled as follows:

No. 272—An act to renew the corners, stakes, and boundaries of the town of Greenfield, the seat of justice of Hancock county;

No. 274—An act authorizing the inhabitants of Newtown in Fountain county, to become incorporated;

No. 277—An act to vacate the town of Cynthiana in Hamilton county;

No. 211—An act for the survey of a turnpike road from Mount Vernon to Princeton;

No. 73—An act to empower Alexis Coquillard and others to drain off the water of the Kankakee ponds;

No. 10—An act to authorize certain persons therein named to erect a dam across the St. Joseph river;

No. 112—An act to amend the several laws relative to domestic and foreign attachment;

No. 127—An act to incorporate the Miami bridge company;

No. 233—An act to change the time of holding circuit courts in the 5th judicial circuit.

No. 161—An act supplemental to an act entitled an act to regulate the practice in suits at law, approved January 29, 1831;

No. 228—An act appropriating so much of the 3 per cent. fund as is now due to Greene county;

No. 286—An act authorizing the re-location of a part of the Cumberland and Huntington state road;

No. 20—An act to amend the act entitled an act to re-locate a certain state road in the counties of Hancock and Henry, approved Feb. 7, 1835, and for other purposes;

No. 145—An act to revive and amend an act entitled an act to provide for the sale of certain lands therein named, approved February 2d, 1833;

No. 250—An act to amend an act entitled an act to incorporate the Wayne and Union turnpike company, approved February 7, 1835; and to incorporate the Rush, Fayette, and Union turnpike company;

No. 306—An act to amend the act entitled an act to establish a state road from Martinsville in Morgan county, via Middletown in Owen county to John Chance's ferry on Eel river, thence to Haynes' old cabin in Vigo county, approved Jan. 31, 1835;

No. 87—An act to incorporate the northern insurance company;

No. 266—An act to vacate a part of the public common in the town of Spencer in the county of Owen;

No. 251—An act to amend an act entitled an act to prevent the sale of ardent spirits to Indians, approved Feb. 3, 1832;

No. 270—An act for the relief of Stephen Frickle,

No. 268—A joint memorial and resolution on the subject of the Wabash and Erie canal;

No. 289—A joint resolution to extend the time of the public printing for 1835-6;

And also the following, approved Feb. 8, 1836:

No. 249—An act to incorporate the Bloomington savings institution;

No. 189—An act to incorporate the South Bend mutual insurance company;

No. 359—An act to legalize the marriage of Derastus Fry and Miss Snodgrass of Hancock county;

No. 282—An act to incorporate the Connersville and Fort Wayne savings institution and insurance companies;

No. 294—An act to record and incorporate Wilson's addition to the town of Crawfordsville;

No. 224—An act to incorporate the town of New York in Switzerland county;

No. 317—An act to declare two certain roads therein named, state roads;

No. 292—An act to incorporate the Vernon savings institution;

No. 264—An act to amend an act entitled an act to vacate a state road from Leavenworth town in Crawford county to Salem in Washington county, approved Jan. 8, 1835;

No. 182—An act to allow additional compensation to officers of elections;

No. 309—An act authorizing the location of a state road;

No. 257—An act to authorize the election of an additional justice of the peace in the county of Jefferson;

No. 243—An act relating to state roads;

No. 231—An act to incorporate the Vincennes manufacturing company;

No. 216—An act to provide an equitable mode of levying the taxes of this state;

No. 296—An act making specific appropriations for the year 1836;

No. 293—An act to incorporate the Evansville insurance company;

No. 279—An act to incorporate the Bethlehem savings institution;

No. 320—An act to establish a certain state road;

No. 305—An act to incorporate the Princeton and Wabash rail road company;

No. 304—An act supplemental to an act establishing as a state road the county road from Livonia to George Beck's, approved January 30, 1836;

No. 283—An act to authorize the citizens of Madison township in the county of Morgan to elect an additional justice of the peace;

No. 257—An act to incorporate the Michigan City;

No. 298—An act authorizing Amasa Makepeace to apply for a writ of *ad quod damnum* to establish a mill on White river in Madison county;

No. 313—An act appropriating certain portions of the 3 per cent. fund in Dearborn county;

No. 230—An act to attach the county of Morgan to the 15th brigade of Indiana militia;

No. 196—An act regulating the jurisdiction of justices of the peace in the counties of Bartholomew and Delaware;

No. 254—an act to change the line dividing the counties of Jefferson and Clarke;

No. 302—An act for the relief of Elias Murray;

No. 203—an act to incorporate the Indianapolis insurance company;

No. 311—an act making general appropriations for the year 1836;

No. 287—an act to authorize the state agent of Indianapolis to make a deed to a certain lot of land adjoining Indianapolis to Wilks Reagan;

No. 284—an act supplemental to an act entitled an act to amend the act entitled an act establishing a state bank, app'd. Jan. 1836, pro-

viding for a branch of the state bank east of the Lafayette branch and west of the Fort Wayne branch;

No. 125—an act to amend an act entitled an act relating to crime and punishment, approved Feb. 10, 1831;

No. 256—an act to amend an act entitled an act for the relief of the poor, approved Feb. 10, 1831;

No. 65—an act to authorize the appointment of a special county agent;

No. 214—an act regulating the mode of doing county business in the counties of Daviess and Martin;

No. 78—an act amendatory of an act entitled an act relative to county seminaries, approved Feb. 4, 1831;

No. 260—an act to repeal so much of an act entitled an act to amend an act to regulate the mode of doing county business in this state, approved Jan. 18, 1831, and relative to the county of Allen;

No. 262—an act to legalize the Rising Sun Dearborn county Agricultural Society;

No. 33—an act to amend an act entitled an act directing the mode of suing out writs of habeas corpus, approved Jan. 12th 1828;

No. 216—an act to amend an act entitled an act to change the time of holding the courts in the 1st circuit;

No. 315—an act relative to the commissioners of the canal fund;

No. 308—an act to change the name of the town of Carthage, in Putnam county;

No. 80—an act to amend an act entitled an act to amend an act to regulate the mode of doing county business in this state;

No. 319—an act to incorporate the Kraco steam mill and manufacturing company;

No. 301—an act to authorize the board doing county business of the county of Franklin, to lay off a street in the town of Brookville, in said county;

No. 291—an act authorizing the Recorder of Boone county to record the plat of Jamestown, and for other purposes;

No. 208—an act to incorporate the Bedford Insurance company;

No. 271—an act to incorporate the Lafayette Insurance company;

No. 273—an act to incorporate the Western Scientific College;

No. 307—an act to establish a state road west of the Wabash river, in Vigo county;

No. 314—an act to incorporate the Eel river bridge company;

No. 187—an act to incorporate the Vevay and Napoleon, and other turnpike companies;

No. 300—an act to authorize an additional Justice of the Peace for Franklin township, Marion county;

No. 204—an act to incorporate the White river bridge company;

No. 255—an act to re-locate and improve certain state roads therein named;

No. 281—an act to incorporate the Winchester turnpike company;

No. 278—an act to incorporate the Brownstown turnpike company;

A joint resolution (No. 163), on the subject of Geological surveys of the state;

A joint resolution (No. 288, on the subject of the Ohio and Charleston rail road;

No. 118—an act to extend the provisions of an act therein named, to Bartholomew county;

No. 195—an act providing for the incorporation of Freedom steam mill company;

No. 267—an act to incorporate the Jeffersonville and New Albany Canal Company;

Mr. Brown from the joint committee appointed to wait on the Governor for that purpose reported,

That said committee had performed the duty assigned them, and that they have received for answer that he had no further communication to make to either branche of the present General Assembly.

A message from the Senate, by Mr. Morrison, their principal secretary:

Mr. SPEAKER—

The Senate has adopted the following resolution:

Resolved, That the House of Representatives be informed that the Senate has gone through its legislative business, and is now ready to adjourn *sine die*.

On motion of Mr. Bennett,

The House reciprocated the resolution named in the above message.

Ordered, That the Clerk inform the Senate thereof.

Which having been communicated to the Senate,

Mr. Brown thereupon moved that the House do now adjourn *sine die*.

Whereupon,

The Speaker arose and delivered to the House the following valedictory address:

Gentlemen of the House of Representatives:

The time has arrived, when having discharged the public duties which called us together, our legislative labors must terminate, and we must return to our constituents. Standing in the relation to you, in which I do, I could not in justice to you, or to my own feelings, permit the occasion of our separation to pass by, without expressing my grateful acknowledgments for the kind and generous manner, in which you have aided and sustained me in the discharge of the arduous duties of the Chair.

The unusually important and exciting subjects upon which we have been called to act, during the present session, while they have given to our deliberations, a degree of interest but seldom witnessed, have rendered the duties of the Chair extremely difficult and laborious. I am fully sensible, gentlemen, that it is only owing to your kind forbearance and aid, that I have been enabled to discharge them, in a manner that has met your approbation.

The growing importance and rapidly increasing resources of our state, have presented to us, for legislative action, an unusual number of subjects both local and general; and although our session has been of but ordinary length, yet we have transacted an amount of business far exceeding that of any preceding session. The present session of the General Assembly will be long remembered, not only by those who have been members, but by the great body of the people throughout the State; and the important measures which have been matured by its deliberations, will exercise an abiding influence upon our prosperity, in all coming time. The system of internal improvements, for which we have provided, if successfully prosecuted, while it will place us on an enviable standing with regard to our sisters of the Confederacy; and afford us facilities and advantages enjoyed by but few other States; will manifest to the world, that though youthful in our political existence, our legislation has been characterized by a degree of liberality and enterprise, which would be highly creditable to a much older and wealthier community.

The interest which we feel in this system, must be greatly enhanced by the reflection, that in adopting the measure, we have only responded to the expressed wishes of the people. That this is the case, is amply and conclusively evidenced by the strong and decided expressions of public sentiment in its favor, before we assembled together, as well as the universal and enthusiastic expressions of rejoicing and approbation with which the news of the passage of the bill has been greeted in almost every part of the State. This affords us the gratifying assurance, that our labors have received the approbation of those for whom we have acted, and whose interest we have endeavored to promote.

It affords me much pleasure, in looking back upon our labors, which are now brought to a close, to reflect that our deliberations have not been interrupted by any of those angry and personal altercations, which are but too apt to find an entrance to the halls of legislation, where weighty and conflicting interests are involved.

The resolution which you have adopted, expressing your approbation of the manner in which I have discharged the duties imposed upon me, as your presiding officer, furnishes an additional evidence of your kindness, which I shall treasure in my recollection, with feelings of gratitude, during the remainder of my life.

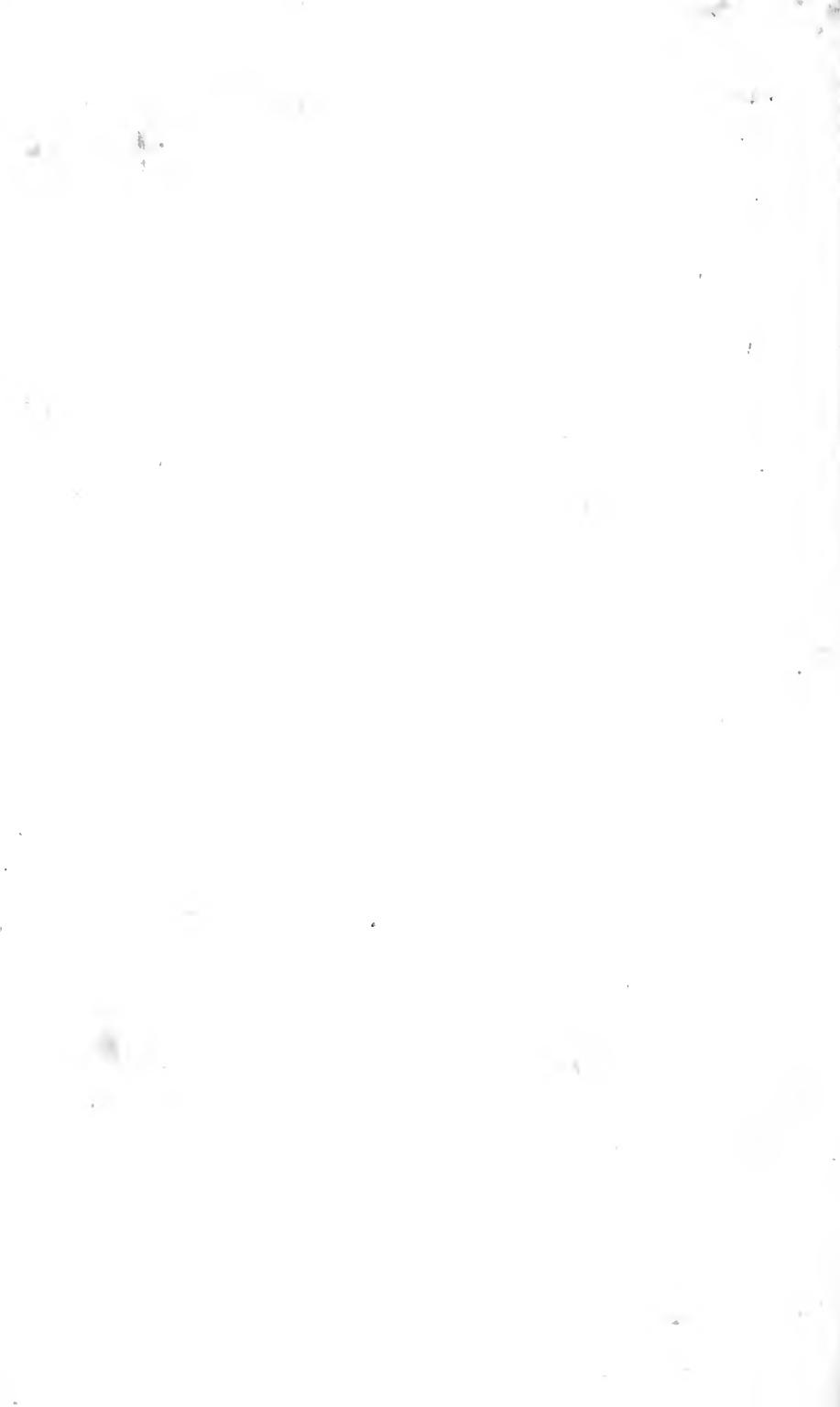
Be pleased, gentlemen, to accept my assurances of respect and esteem for each member of this body, and my warmest wishes for your safe return to your homes, and for your future success and prosperity.

I now declare this House adjourned *sine die*.

And the House adjourned *sine die*.

HENRY P. THORNTON,

Clerk of the House of Representatives.





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BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

492

Number.	TITLES	Introduced.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Passed Sen.	Other proceedings.	Approved.
1	A bill to divorce Frances Means from her husband	27	318, 328				96
2	A bill to provide for empannelling grand and petit jurors in Orange county	28		28	40	47, 70	198
3	A bill to amend the act to incorporate Wabash and Michigan rail road company	40	65	80	175	190, 193	182
4	A bill to relocate the state road from Orleans to George French's	40	66	81	113	126, 138	182
6	A bill to authorize Joseph D. Clark, a minor to sell real estate	47		81	144	162, 171	313
9	A bill to incorporate the Madison savings institution	50	59, 70, 88	114	175	181, 213, 245, 263	483
10	A bill to incorporate the South Bend manufacturing company	51	66, 70, 72, 291	328	441	460, 464	182
13	A bill to extend the time of returning &c. assessments under &c.	61		61	94	122, 138	
14	A bill to authorizing Mary Branham 'to convey real estate	61	80	95			
15	A bill to authorize the sale of certain school lands in Orange county	61	80	95			
16	A bill to locate a state road &c. from Dillsboro to Aurora	61	80	95	130	140, 151	182

17	A bill to incorporate the Lawrenceburgh and Harrison turnpike company	62 80	190 364 439, 453	462
18	A bill to establish a state road from Jasper &c. to Washington	62 82	95 130 140, 151	182
19	A bill to legalize the proceedings of a commissioner of a state road therein named	65 82	95 130 140, 151	182
20	A bill to amend &c. an act to relocate a certain state road in Hancock county	65 95	196 441 460, 464	483
21	A bill to amend the act for the formation of congressional districts	69 95		
22	A bill for the election of trustees to receive deeds &c.	70 126	197 254 267, 207	341
23	A bill to locate a state road from Delphi to Dayton	71 127	197 255 267, 307	341
24	A bill establishing as a state road the county road from Livonia to Beck's	71 127	197 255 340, 362	368
25	A bill declaring a certain road therein named a state road	71 127	197 255 266, 307	341
26	A bill to incorporate the Vincennes academy	71 127, 146	197 255 292, 310	
27	A bill to repeal the act incorporating Crawfordsville seminary	72 127	197 255 267, 307	341
29	A bill to organize the county of Adams	78 127	197 255 267, 307	337
30	A bill to organize the county of Fulton	80 127	197 255 267, 307	337
31	A bill to legalize the sale of the west half of public square in New Castle	80 159	197 255 311, 334	352
32	A bill to amend an act regulating divorces	84 159, 160, 166	197 391 416, 433	449
33	A bill to amend the act directing the mode of suing out writs of habeas corpus	85 160, 160	160 467 476	485

BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

Number.	TITLES.	Introduced.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Passed Sen.	Other proceedings.	Approved.
34	A bill concerning the reserved township of lands in Monroe county	85	160	198	255	267, 307	341
35	A bill to locate a state road in the direction of Bertrand	90		160	196	235, 307	341
36	A bill to locate a state road from Portage Point to the state line	90		160	212	235, 307	341
37	A bill to locate a state road from South Bend to the state line	90		167	212	235, 307	341
38	A bill to locate a state road from the north line of the state in direction of Chicago	90		167	212	235, 307	341
39	A bill to vacate a part of the Indianapolis, &c. state road in Wayne county	91	167	198	255	311	352
40	A bill to establish a certain state road therein named	91	163, 301, 339				
41	A bill to amend the act to incorporate Lexington steam mill	94	167	198	255	267, 307	341
42	A bill to authorize the service of subpoenas by copy	94	167, 192	192	391	416, 433	437
43	A bill to change the time of holding probate courts in Daviess county	94	167	198	255	311, 334	352
44	A bill to establish a certain state road therein named	109	168	198	255	311, 334	352

46 A bill to legalize the proceedings of the board of commissioners of Lawrence county - - -	113 198	219 295 311, 334	352
47 A bill to locate a certain state road from Boonsville to Jasper - - - - -	113 198	219 285 311, 334	352
48 A bill to make the Knox county agricultural society a branch, &c. - - - - -	113 198	219 324 362, 376	399
49 A bill to amend the act for assessing and collecting the revenue - - - - -	115 199		
50 A bill declaring the county road from Owensville &c. a state road - - - - -	117 198	255	341
51 A bill amendatory of the act for opening public roads and highways - - - - -	117 199	267, 307	
52 A bill to incorporate the Madison water and manufacturing company - - - - -	117	148 190 191, 200	211
53 A bill to establish a certain state road therein named	118 199	219 285 311, 334	352
54 A bill to locate a state road from New Albany to Mankport - - - - -	118 199	219 285 311, 334	352
55 A bill to establish a certain state road therein named	118 199	219 285 311, 334	352
56 A bill to locate a state road from New Albany to Charlestown - - - - -	118 199	219	
58 A bill respecting the borough of Vincennes - -	122 218	237 294 311, 334	352
60 A bill to divorce John Tincher and his wife Polly Tincher - - - - -	126		
61 A bill authorizing the sale of the residue of one of the reserved sections of land in Monroe county - -	131	198 255 267, 307	341
62 A bill authorizing a loan for the improvement of state roads and pledging the 3 per cent. fund &c. -	134 163, 188, 263, 325, 368		
63 A bill to incorporate the town of Indianapolis -	135 219, 302	321 343 377, 427	449

BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

Number.	TITLES.	Introduced.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Passed Sen.	Other proceedings.	Approved.
64A	bill to change certain alleys in the town of Livonia	134 219		220 294	340, 361		368
65A	bill to authorize the appointment of a special county agent	140 220, 337		403 454	477, 479		485
66A	bill to provide for the election of a justice of the peace in Brownsville	140		220 294	340, 362		368
68A	bill authorizing the location of a state road from Troy to Paoli	147 220, 349					
69A	bill for the relief of James H. King, recorder of Monroe county	147		220 390	416, 433		437
70A	bill to incorporate the town of Vevay	147 187		198 294	340, 362		368
71A	bill declaring the county road from Mooresville to Pruitt's farm a state road &c.	147 220, 301, 339					
72A	bill to provide for changing a part of the road from Martinsville to Danville	147 220		301			
73A	bill to empower Alexis Coquillard to drain Kanakee &c.	150		220 453	466, 469		483
74A	bill to incorporate the Laporte canal and rail road company	150 188		198 343	402, 427		449
75A	bill concerning guardians	150 251		265 364	416, 433		437

76A bill to incorporate the Evansville and Vincennes rail road company	150 169	170 242 292, 310	341
77A bill to amend the act to encourage the killing of wolves	151 173		
78A bill amendatory of an act relative to county seminaries	151 251, 339	403 454 477, 478	485
79A bill to amend the act to establish a state road from Bedford to rapids of Wabash river	151	251 235 311, 334	352
80A bill to amend the act to regulate mode of doing county business &c.	151 251, 300	455 476	485
81A bill amendatory of the act establishing a state bank	159 159, 183, 183	190 251 { 284, 300, 304, 313	341
83A bill for the establishment of a state road from Mishawaka to the state line	162 271, 301, 339	332, 336	
84A bill to organize the county of Marshall	163	305 366 402, 427	437
85A bill to establish a state road from Providence to Greenville	163 305, 339		
86A bill to locate a state road from the Michigan road in direction of New Buffalo	166 305, 339		
87A bill to incorporate the northern insurance company &c.	166 320	391 449, 464	483
88A bill to give the circuit court of Hendricks county jurisdiction in a certain case	166 246, 301		
89A bill to enable school commissioners to correct returns of collectors	170		
90A bill declaring a misprint	171 305	216 324 362, 376	399
91A bill to organize the county of Porter, and for other purposes	178 216	331 366 377, 427	438
92A bill to organize Kosciusko county	182 305	313 335 343, 351, 362	368
		331 366 377, 427	438

BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

498

Number.	TITLES.	Introduced.	Proceedings in committees of the whole, and in the House.	Passed Ho.	Passed Sen.	Other Proceedings.	Approved.
93	A bill to amend the act to incorporate Michigan City and Kankakee rail road company -	181		305	334	342, 362	368
94	A bill to repeal the act for assessing revenue, approved, 1831, and for other purposes -	131					
95	A bill to amend the act organizing supreme c't &c.	186	187	181	212	225, 307	341
96	A bill to amend the act organizing circuit courts &c.	187					
97	A bill to change the name of Greensboro, to Blooming Grove -	186		188	241	263, 334	341
98	A bill to change the name of Somerset -	128		198	255	267, 307	341
99	A bill declaring Big Raccoon a public highway -	128	305	306	366	377, 427	438
100	A bill to suppress gaming -	190	200, 215, 232, 448				
101	A bill to amend the act to license and regulate taverns and groceries -	191	306, 331, 348				
102	A bill to amend the act for the relief of the poor -	192		219	391	416, 453	437
103	A bill to incorporate the town of Dublin -	192		313	390	439, 453	462
104	A bill to locate a state road in Dearborn county &c.	192	313, 339				
105	A bill to amend act regulating fees and salaries &c.	193	314				
106	A bill to amend the act to incorporate the town of Levenworth -	193		193	255	267, 307	341
107	A bill to provide for the recording of car marks &c.	194	314, 331				

108	A bill to incorporate the Indiana Baptist Education Society &c.	- 194	219	261	340, 362	368
110	A bill making it the duty of the com'rs of Warren county, to pay road comr. &c.	- 195	314			
111	A bill to locate a state road from Michigan city to the state line	- 195	314, 339			
112	A bill to locate a certain state road therein named	- 196	314, 339			
113	A bill to establish a state road from Synthoniana, to to the mouth of Patoka	- 196	314, 339			
114	A bill to extend the provisions of an act therein named, to Bartholomew county	- 196		424	473	477, 479
115	A bill authorizing the trustees of c. towdship N. 15. R. 1 W. to sell said section &c	- 202	216	216	285	311, 334
117	A bill to amend the act regulating the taking up of animals going astray &c.	- 212	315, 316, 319	315	335	348, 362
118	A bill to organize the county of Jay	- 213				368
119	A bill to establish a certain state road therein named	- 215	314, 339			
120	A bill to amend the act to incorporate the Crawford county seminary	- 215		315	391	428, 445
122	A bill to incorporate the Lafayette and Danville rail road company	- 219		236	343	402, 427
123	A bill to provide for the commencement of a general system of internal improvements	- 221	225	232	261	232, 302, 312 330, 336
124	A bill to establish a state road from a point in the county of Clay, to the Wabash river near the mouth of Honey creek &c.	- 234		234	260	340, 362
125	A bill to amend the act relative to crime and punishment	- 236		445	471	479, 481
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BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

Number.	TITLES.	Introduced.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Passed Sen.	Other proceedings.	Approved.
126	A bill to amend the act in furtherance of an act to provide a fund to encourage common schools	236					
127	A bill to incorporate the Miami Bridge Company	237	272, 301, 321	272	423	459, 464	483
128	A bill to amend the act to incorporate the St. Joseph-Iron Company	238		287	324	362, 376	399
129	A bill authorizing the location of a state road from Marion to Lagro	239		238	235	311, 334	368
130	A bill to locate a state road from Logansport to squire's village	238	271, 301, 339				
131	A bill for the relief of Elizabeth Hatfield	239	316, 339				
133	A bill to locate a state road therein named	239	301, 339				
134	A bill for the location of a road from Livonia to Milltown	241					
		242	314, 339				
136	A bill to incorporate the judicial townships in Warren county	243	329	336			
137	A bill to legalize the proceedings of Reason Malott, school commissioner	243					
138	A bill to amend the act declaratory of the powers of notaries public	243		301	390	416, 433	437
		244	318				

139	A bill amendatory of the act regulating the practice at law	244	327				
140	A bill to amend the act for assessing and collecting revenue	246	316				
141	A bill to amend act regulating fees and salaries &c.	246	316			331	
142	A bill to amend the act regulating the mode of doing county business &c.	246	300, 385				
143	A bill to amend the act relative to foreign attachments	246	316, 336				
144	A bill to incorporate the New Albany Savings Inst.	246				301	463
145	A bill to revive and amend the act to provide for the sale of certain lands	248	316			336	419 459, 464
146	A bill to attach a part of the county of Harrison to the county of Floyd	248	316				483
147	A bill to vacate part of a certain street in Washington, Wayne county	248					
148	A bill to incorporate the town of New Albany	248	266			317	334 362
150	A bill to locate a state road from Brummit's to Vincennes	250	314, 339			301	364 403, 427
151	A bill to incorporate the Eel river steam mill company	250	288				
152	A bill to locate a state road from Mishawaka to Mottsville	250	272			302	364 399
153	A bill to give the Fayette circuit court jurisdiction in a certain case	250	314, 322			337	
154	A bill to provide for cancelling and entering satisfaction of mortgages	250				264	364 416, 433
155	A bill for the relief of John G. Brown	250				265	391 403, 427
							449
							437

BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

502

Number.	TITLES.	Introduced.	Proceedings in committee of the whole, and in the House.	Passed H.	Passed Sen.	Other proceedings.	Approved.
156	A bill to revive, &c. an act to incorporate the town of Washington, &c.	250		317	366	377, 427	437
157	A bill to locate a state road from Bowlinggreen to Solomon Stone's, &c.	251	317				
158	A bill to repeal the law allowing a premium on wolf scalps	251					
159	A bill to establish a state road from Elkhart to the Michigan road	251	314, 339				
160	A bill to suspend an act providing for the re-location of the seat of justice in Dearborn county	265	317				
161	A bill supplemental to the act regulating the practice in suits at law	266	301	327	441	460, 464	433
162	A bill to subject equitable interests and choses in action to execution	266	332, 337				
164	A bill to amend the act to organize and regulate the militia of the State of Indiana	269	433				
166	A bill relative to the Michigan road fund	269		387			437
169	A bill for the formation of the county of Brown	271		366		402, 427	
170	A bill to incorporate the town of Milton in Wayne county	271	288	302	413	440, 453	462

BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

504

Number.	TITLES.	Introduced.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Passed Sen.	Other proceedings.	Approved.
187	A bill to incorporate the Vevay and Napoleon turnpike company	291	320, 331	337	441	480, 481	485
188	A bill to appropriate a part of the 3 per cent. fund, and for other purposes	291		304	412	428, 445	449
189	A bill to incorporate the St. Joseph Mutual Insurance company	291		344	455	475, 478	483
190	A bill to amend the act incorporating Congressional townships, &c.	291		291	343	361, 376	393
194	A bill to incorporate the Hanover Steam Mill Co.	293	318, 319		412	428, 445	449
195	A bill providing for the incorporation of the Freedom steam mill company	293	318, 327	337	470	477, 479	486
196	A bill regulating the jurisdiction of Justices of the Peace in Delaware county	293	337	402	455	480, 481	484
197	A bill to establish a state road from Logansport to Monticello	293	339				
198	A bill to incorporate the New Albany Ferry Co.	293	319	364		402, 427	449
199	A bill to amend the act regulating jurisdiction of justices of the peace	293					
200	A bill to amend the act to regulate mode of doing county business, &c.	296	452				

201	A bill concerning fugitives from justice	297	452						
202	A bill for the relief of Elizabeth Nowland	297	444						
203	A bill to incorporate the Indianapolis Insurance Co.	306			345	441	479, 431		484
204	A bill to incorporate the Wabash Bridge Company	300			387	467	479, 481		485
205	A bill to provide for transferring causes brought before justices of the peace, to the circuit court, where title to real property comes in question	300	319						
206	A bill to authorize the holding of an additional term of the Floyd circuit court	300			317	313	361, 376		393
208	A bill to incorporate the Bedford Insurance Co.	310	362		363	467	480, 482		485
209	A bill to locate a state road from Economy to Flint Springs	310	339		311	366	416, 453		437
210	A bill to appropriate a part of the 3 per cent. fund	311							
211	A bill for the survey of a turnpike from Mount Vernon to Princeton	311	338, 403		404	462	465, 469		482
212	A bill to amend the several acts for the promotion of schools and education in Clark's Grant	311			311	391	416, 433		438
213	A bill to locate a certain state road therein named	312	339						
214	A bill regulating the mode of doing county business in Davies and Martin counties	313			402	455	477, 478		485
215	A bill to organize the county of Noble	313			336	419	440, 453		462
216	A bill to provide for an equitable mode of levying the taxes in this state	315	333, 340	356, 357	360	441	450, 459, 460, 477, 479	484	
217	A bill to amend the act regulating jurisdiction and duties of justices of the peace	320	395		417				
218	A bill to authorize the payment of expenses incurred in suppressing a riot &c.	322					413	428, 446	450

BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

506

Number.	TITLES.	Introduced.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Passed Sen.	Other proceedings.	Approved.
219	A bill to establish a state road from Livonia to Corydon	329	363				
220	A bill to locate a part of a certain state road	322	365				
222	A bill for the improvement of Morgantown in Morgan county	323		393	366	377,427	437
223	A bill providing the mode of opening and repairing roads and highways	323	415				
224	A bill to incorporate the town of New York, in Switzerland county	328	338				
225	A bill to abolish public executions	329	351				
226	A bill to enlarge the county of Warren	328					
227	A bill to amend the act regulating distress for rent	329		420			
228	A bill to appropriate so much of the three per cent. fund as is now due to Greene county	329	347				
229	A bill for the relief and benefit of Thomas Smith	330			419	449,464	483
230	A bill to attach the county of Morgan to the 15th brigade of Indiana militia	330			391	428,445	449
231	A bill to incorporate the Vincennes manufacturing company	330	330		454	477,479	484
		330	330	344	441	479,481	484

BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

508

Number.	TITLES	Introduced.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Passed Sen.	Other proceedings.	Approved.
246	A bill vacating so much of the Greensburgh and Charlestown state road as lies between the widow Stagg's and the Jennings and Decatur county lines	347	363				
247	A bill for the location of certain state roads in Marion, Boone, Hamilton and Hancock counties . .	349	363				
248	A bill supplemental to the act for the organization of Porter county	350		350			
249	A bill to incorporate the Bloomington savings institution	350			363	470	475, 478
250	A bill to amend act incorporating Wayne and Union turnpike company	350			351	441	460, 464
251	A bill to amend act to prevent sale of spirits to Indians	351			351	419	459, 464
252	A bill supplemental to the act providing &c. for internal improvements	353	371, 393		338	399	
253	A bill for the incorporation of Knightstown . .	363			403	453	477
254	A bill to change the lines dividing Jefferson and Clark	369			369	453	479, 481
							484

255	A bill to locate and improve certain state roads therein named	369	370	453	480, 482	485
256	A bill to amend the act for the relief of the poor	370	370	454	480, 481	485
257	A bill to incorporate Michigan City	370	370	451	477, 479	484
258	A bill to authorize the election of an additional justice of the peace in Jefferson	370	370	451	480, 481	484
259	A bill to legalize the marriage of Derastus Fry &c.	370	370	451	480, 481	483
260	A bill to repeal so much of the act &c. to regulate mode of doing county business, as relates to the county of Allen	370	370	455	480, 481	485
261	A bill to amend the act for the encouragement of agriculture	380	380	405		
262	A bill to legalize the Rising Sun agricultural society	380	380	454	480, 481	485
263	A bill to amend the act to establish a state library	381	381	441		
264	A bill to amend the act to locate a state road from Leavenworth to Salem	381	381	451	480, 481	484
265	A bill to amend the act incorporating Leavenworth &c. rail road company	381	381	225, 443		
266	A bill to vacate a part of the common in the town of Spencer	381	381	454	461, 464	483
267	A bill to incorporate the Jeffersonville and New Albany canal company	381	381	467	472, 477, 479	486
270	A bill for the relief of Stephen Trickle	383	383	451	461, 464	483
271	A bill to incorporate the Lafayette insurance company	383	383	463	480, 482	485
272	A bill to renew the corner stakes &c. of the town of Greenfield	383	383	466	469	482

BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

510

Number.	TITLES.	Introduced.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Passed Sen.	Other proceedings.	Approved.
273	A bill to incorporate the western scientific and agricultural college	384		387	454	480, 482	485
274	A bill authorizing the inhabitants of Newtown to become incorporated	384		384	454	466, 469	482
275	A bill for the relief of Benj. McCarty	384	414				
276	A bill to provide for an additional appropriation of the 3 per cent. fund	384					
277	A bill to vacate the town of Cynthia, in Hamilton county	384		384	454	466, 469	482
278	A bill to incorporate the Brownstown turnpike company	384		401	470	480, 481	485
279	A bill to incorporate the Bethlehem savings institution	384		406	454	475, 478	484
280	A bill amendatory of the act relative to county town-daries	386					
281	A bill to incorporate the Michigan turnpike company	387		387	454	480, 481	485
282	A bill to incorporate the Connersville saving institution	388		388	461	475, 478	483

283 A bill to authorize Madison township, Morgan county, to elect an additional justice of the peace . . .	388
284 A bill supplemental to the act establishing a state bank &c.	388
285 A bill supplemental to the act to provide for a general system of internal improvement . . .	389 417
286 A bill authorizing a re-location of a part of the Huntington &c. road.	389
287 A bill to authorize the state to make a deed to a certain lot &c. to W. Reagan	389 406
290 A bill allowing Secretary &c. to pay for clerk hire	405
291 A bill to authorize the recorder of Boone county to record plat of Jamestown	406
292 A bill to incorporate the Vernon savings and insurance institution	406
294 A bill to incorporate the Evansville insurance company	406
295 A bill to record and incorporate Wilson's addition to the town of Crawfordsville	406
296 A bill making specific appropriations for the year 1836	407
297 A bill for the appointment of a state printer and defraining his duties	407 410
298 A bill to authorize A. Makepeace to apply for the writ of ad quod damnum	409
299 A bill authorizing a survey of a clay turnpike from Rockport to Washington	410

388 454 476 484

443 470 480, 481 484

389 454 461, 464 483

443 454 477, 479 424 484

406 455 476 485

406 454 477, 479 484

414 467 477, 479 484

406 455 477, 478 483

409 467 { 470, 471, 272, 473, 484
474, 477, 479

411

410 455 476 484

BILLS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

Number.	TITLES.	Introduced.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Passed Sen.	Other proceedings.	Approved.
300	A bill to authorize an additional justice of the peace in Franklin township, Marion county . . .	415		415	455	476	484
301	A bill authorizing county board of Franklin county to lay off a street in Brookville . . .	415		415	455	476	485
302	A bill for the relief of Elias Murray . . .	415		429	473	480, 481	484
303	A bill to authorize the survey of a turnpike road from Greenfield to Liberty . . .	416	443				
304	A bill supplemental to the act establishing as a state road the county road from Livonia to Geo. Beck's . . .	417		417	455	476	484
305	A bill to incorporate the Princeton and Wabash railroad company . . .	419		420	470	480, 481	484
306	A bill to amend an act to establish a state road from Martinsville to Vigo county . . .	420		420	454	461, 464	483
307	A bill to establish a state road west of the Wabash in Vigo county . . .	420		420	454	480, 482	485
308	A bill to change the name of the town of Carthage in Putnam county . . .	426		426	473	476, 478	485
309	A bill authorizing the location of a state road . . .	429		429	473	476, 478	485
310	A bill in relation to the preservation of the state house . . .	429	436, 444				

311 A bill making general appropriations for the year 1836	430
312 A bill to provide for the assessment and collection of state and county revenue	433
313 A bill appropriating certain portions of the 3 per cent fund in Dearborn county	438
314 A bill to incorporate the Eel river bridge company	443
315 A bill relative to commissioners of the canal fund	447
316 A bill to amend the act to change time of holding courts in first circuit	462
317 A bill declaring a certain road therein a state road	462
319 A bill to incorporate the Kraco steam mill and manufacturing company	462
321 A bill to establish a certain state road	462

438	469	480, 481	484
438	470	480, 481	484
443	473	476, 478	485
447	471	476, 479	485
462	473	476, 478	485
462	472	477, 478	486
462	472	476, 478	485
462	473	479, 481	485

BILLS WHICH ORIGINATED IN THE SENATE.

Number.	TITLES.	Reported from Sen.	Proceedings in committee of the whole and in the House.	Passed Ho.	Other proceedings.	Approved. See S. jour.
5	A bill to legalize certain acts of James Davis &c.	94 168		192 236, 308		
7	A bill to repeal the act authorizing re-location of a part of the New Albany &c. road	95 168		192 236, 303		
8	A bill to repeal the act amending the several acts regulating jurisdiction &c. of justices of the peace in the several counties therein named &c.	113 199		438 474, 479		
11	A bill to incorporate the Newport steam mill company	144 159, 197		198 236, 308		
12	A bill to continue in force an act for the benefit of persons likely to suffer by the destruction of the records of Parke county &c.	113 168, 192		219 370, 377		
13	A bill to establish a certain state road therein named in the counties of Perry &c.	175 220, 349		129	140, 150, 170, 174, 215. 244	
15	A bill for the apportionment of Senators and Representatives &c.	127		173 236, 303		
18	A bill to amend the act regulating the interest of money &c.	163 305				
20	A bill to incorporate the Perrysville and Danville rail road company	163				
21	A bill to locate a state road from Michigan to Lafayette road in Clinton county	175 305				
22	A bill to amend the act to regulate the taking up of animals astray &c.	212 316		349 419, 440, 453		
24	A bill to amend the act for opening public roads and highways	468				
25	A bill to legalize the official acts of Josiah Reeder	175		175 236, 303		
26	A bill to amend the execution law	212 316, 444				

27	A bill to incorporate the Leavenworth Savings Institution	260	266,370, 377
31	A bill to amend an act incorporating Congressional townships, &c.	390	401,459, 463
32	A bill to provide for a justice of the peace in Rockford	241	291,361, 376
33	A bill to incorporate the town of Rome, in Perry county	242	301,361, 377
34	A bill declaring a certain county road therein named a state road	242	301, 339
36	A bill to amend the act for opening public roads, &c.	242	439,474, 479
37	A bill to amend the act for opening and repairing roads and highways	285	322,365, 379, 427
38	A bill to encourage domestic manufactures	324	
40	A bill to incorporate the Rockville steam mill company	255	265,370, 377
41	A bill to incorporate the Parke county Seminary	285	339,379, 427
42	A bill authorizing the inhabitants of Township 3 South, Range 2 W. to sell their School lands	285	305,361, 376
43	A bill to regulate the mode of petitioning the Legislature in certain cases	285	321
44	A bill to provide for a special session of the Jefferson circuit court	255	265,356, 376
47	A bill to incorporate the Logansport and Eel River Bridge Company	285	365, 403, 426
49	A bill to incorporate the President and Trustees of the Rush Co. Sem.	285	286,356, 377
51	A bill to lay out a state road in the counties of Ripley and Dearborn	285	365, 379, 427
52	A bill to establish a state road from Rome to Jasper	285	287,361, 376
53	A bill relative to county orders in the county of Parke	285	474, 479
54	A bill to provide that certain citizens may obtain land	149	452, 465, 466
55	A bill to provide for the appointment of a Keeper of the State House	466	468,476, 478
56	A bill to amend the act to regulate the mode of doing county business	294	446,474, 479
58	A bill to locate a state road in Posey and Gibson counties	295	339
59	A bill to incorporate the Rome Savings Institution	335	443,177, 176
60	A bill to charter and define the powers and duties of the trustees of the town of Evansville	324	443,180, 481
62	A bill to incorporate the Clark county trading and manufacturing Co.	364	378,463, 465

BILLS WHICH ORIGINATED IN THE SENATE.

Number.	TITLES.	Reported from Sen.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Other proceedings.	Approved. See S. Jour.
64	A bill for the relief of Elizabeth Nowland	390		417	459, 464	
65	A bill dispensing with unnecessary oaths required of executors, &c.	364		364	403, 427	
67	A bill in relation to the seat of justice of Dearborn county	364				
68	A bill to amend the act for the relief of the poor	466				
69	A bill to incorporate the Peru and Wabash Bridge company	390	413		414 476, 478	
70	A bill giving justices of the peace concurrent jurisdiction with circuit courts in certain cases	390				
71	A bill to incorporate the Troy Savings Institution	366			379 463, 466	
72	A bill to incorporate the Madison Hotel company	364			378 480	
73	A bill to facilitate the apprehension of fugitives from justice	364			364 412, 427	
74	A bill to authorize county boards to exempt certain persons from a poll tax	390			391 443, 353	
75	A bill to amend the act for the promotion of schools, &c. in Vincennes	343			324 461, 464	
76	A bill for the improvement of the Michigan road	390	438		442 466, 469	
77	A bill in relation to certain sections of the Wabash and Erie Canal	423			423 466, 469	
78	A bill regulating trials for assaults and batteries before justices of the peace	390				
79	A bill to amend the act subjecting real and personal estate to execution	390				
80	A bill authorizing the appointment of testamentary guardians	390			401 406, 439 45 3	
81	A bill to locate a state road from Montezuma to the state line &c.	367			367 412, 426	

82	A bill to change a part of a certain state road therein named	366	366	412, 427
84	A bill for the relief of Elias Osborne	390	443, 453	
85	A bill to change the mode of doing county business in the county of Washington	367		
86	A bill for the relief of Wilson Anderson	367	381	466, 469
87	A bill to incorporate the Salem savings institution	364	367	403, 427
89	A bill to amend the act defining the duties of recorders	390	378	461, 461
90	A bill for the relief of John Dicken and for other purposes	364	391	428, 446
91	A bill to locate a state road from Greencastle to Martinsville	364	364	403, 427
92	A bill to incorporate the charlestown savings institution	367	365	441, 161, 479
93	A bill to locate a state road in Posey county	364	378	464, 465
94	A bill to incorporate the Rockport savings institution	367	424	480, 464
95	A bill to authorize the Governor to commute capital punishment	390	378	176, 478
96	A bill to legalize sale of school lands in Pike county	390	392	428, 446
97	A bill supplemental to the act regulating practice in chancery	367	406	439, 458
99	A bill to extend the provisions of an act &c. to Lawrence county	390		
100	A bill to extend the act incorporating Leavenworth and Bloomington rail road	390		
102	A bill in relation to the Leavenworth and Blomington rail road company	390	416	160, 464
103	A bill to incorporate the Fulton company	412		
104	A bill to amend the act to incorporate the Harrison and Indianapolis turnpike company	390	391	428, 446
105	A bill to incorporate the Websterian Social Library	390	391	449, 464
107	A bill to incorporate the Lagrange county manufacturing company	412	446	476, 478
108	A bill to authorize certain individuals to build a bridge across the Kankakee river	412	416	449, 464

BILLS WHICH ORIGINATED IN THE SENATE.

Number.	TITLES	Reported from Sen.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Other proceedings.	Approved. See S. Jour.
109	A bill to provide for the election of a justice of the peace in Rush county	412		413	419, 464	
110	A bill to amend the act incorporating congressional townships &c.	412	446			
112	A bill to amend the several laws relative to domestic and foreign attachments	423		423	461, 464	
114	A bill authorizing the loaning moneys of congressional townships	441		442	466, 469	
115	A bill to vacate a part of the Mooresville &c. state road	423		423	462, 464	
116	A bill to appropriate to the several counties in this state a part of the 3 per cent. fund	455		459	476, 478	
117	A bill to incorporate the Franklin, Fayette, and Rush turnpike company	455		459	476, 478	
118	A bill providing for the correction of a mistake in a deed for a part of plat of Newport &c.	455		459	476, 478	
119	A bill to attach the counties of Lake and Whitley to organized counties &c.	455		459	474, 479	
120	A bill to incorporate the town of Bellville	467		467	476, 478	

BOONE COUNTY.

Member from, appears 4

C

CANALS.

Communication from Mr. Williams, Engineer on W. and E. canal	31
Report of Fund Commissioners	48
Charges against Commissioner, &c. of Wabash and Erie Canal	83
Remonstrance against said charges	83
Report of the Commissioners	85
Remonstrance against charges preferred against Burr	96
Report of Committee on charges against Burr, &c.	178
Resolution of Senate in relation to election of commissioners	215
Election of Commissioner of Wabash and Erie Canal	222
Report of Fund Commissioners	336, 412

CARROLL COUNTY.

Member from, appears 4

(Petitions from.)

For a road from Dayton to Delphi	44
Remonstrances on subject of Canal	129
On the subject of the canal crossing the Wabash	199
For an appropriation on a road	223

CASS COUNTY.

Member from, appears 4

(Petitions from.)

For organization of Fulton county	44
For amendment to justices' act	44
For the location of an additional Branch Bank	50
For the location of a state road	77
Remonstrating against Canal crossing at B. Bluffs	77
For the erection of certain Bridges	87
For a state road from Peru to Warsaw	177
On the subject of a road	388

CENSUS.

Report of Secretary of State in relation to 53

CLARK COUNTY.

Members from, appear	-	-	-	-	-	4
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(Petitions from.)

On the subject of the militia law	-	-	-	-	32
For a road from New Albany to Charlestown	-	-	-	-	60
For a road from Providence to Greenville	-	-	-	-	131
For a rail road from Indianapolis to Jeffersonville	-	-	-	-	214
In relation to a canal around the Falls of Ohio	-	-	-	-	245
To change county line	-	-	-	-	284
Of James M'Henry	-	-	-	-	326

CLAY COUNTY.

Member from, appears	-	-	-	-	-	4
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(Petitions from.)

In relation to a road	-	-	-	-	-	217
On the same subject	-	-	-	-	-	217

CLERK.

Henry P. Thornton elected principal	-	-	-	-	5
Jehu T. Elliott " assistant	-	-	-	-	5
Samuel J. Stewart " enrolling	-	-	-	-	6

CLINTON COUNTY.

Members from, appear	-	-	-	-	-	4
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(Petitions from.)

For a road from Jefferson to Dayton	-	-	-	-	57
Of John Stephenson	-	-	-	-	185
Of James Scott, for relief	-	-	-	-	254

COLLEGE.

Annual report of the Hanover	-	-	-	-	60
Report of the Indiana	-	-	-	-	76

COMMITTEES.

Standing, appointed	-	-	-	-	-	29
Reports of (<i>See reports</i>)	-	-	-	-	-	30

Additions to, on State Bank	-	-	-	30
" on Canals	-	-	-	30, 45, 47, 183
" on Military affairs	-	-	-	32, 53
" on Roads	-	-	-	45, 52
" on Education	-	-	-	30, 53, 319
" on Agriculture, appointed	-	-	-	129

CRAWFORD COUNTY.

Member from, appears	-	-	-	4
<i>(Petitions from.)</i>				
Of the corporation of Leavenworth	-	-	-	161
For a road from Albany to the mouth of White river	-	-	-	162
For an appropriation on a state road	-	-	-	186
Preferring charges against Golden, a justice of the peace	-	-	-	200
On the subject of doing county business	-	-	-	344

D

DAVISS COUNTY.

Members from, appear	-	-	-	4
<i>(Petitions from.)</i>				
Of Elizabeth Hatfield, for a divorce	-	-	-	191
In relation to New Albany and Vincennes road	-	-	-	256

DEARBORN COUNTY.

Members from, appear	-	-	-	3
<i>(Petitions from.)</i>				
For the incorporation of a Turnpike Company	-	-	-	32
For a road from Dillsboro' to Aurora	-	-	-	39
Of the Lawrenceburgh and Indianapolis Rail Road Company	-	-	-	51
In relation to the county seat	-	-	-	63
For a review of a state road	-	-	-	77
For the incorporation of a road company	-	-	-	115
For a road in said county	-	-	-	161
On the subject of a School section	-	-	-	176
Remonstrance against a road	-	-	-	191
In relation to a bridge across the Miami	-	-	-	233
For the location of a state road	-	-	-	235
For and against a division of said county	-	-	-	263
On the subject of the county seat	-	-	-	233
For a division of the county	-	-	-	327
To attach Lawrenceburgh to the state of Kentucky	-	-	-	327

DECATUR COUNTY.

Member from, appears	-	-	-	-	-	4
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DELAWARE COUNTY.

Member from, appears	-	-	-	-	-	4
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DOOR KEEPER.

James Fialer, elected	-	-	-	-	-	6
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DUBOIS COUNTY.

Member from, appears	-	-	-	-	-	4
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(Petitions from.)

For the continuation of the road from Jasper to Washinton	44
For a road from Princeton to Paoli	60
On the same subject	87
On the subject of a road from New Albany, &c.	97
Of Daniel Harris, for a divorce	97
For a road from New Albany to mouth of White river	145

E

ELECTION.

Of officers of the House	5
" Sergeant-at-Arms	10
" Judges and Prosecuting Attorneys	33
" Canal Commissioner	222

ELKHART COUNTY.

Member from, appears	-	-	-	-	-	4
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(Petitions from.)

Of Longacre, for a divorce	33, 39, 115
For a road from Goshen to centre of Stenben county	44
For an extension of time of holding circuit courts	56
For a road from Fort Wayne to intersect, &c.	56
For a road	83
For a road	84
Remonstrance against a road	97, 115
For the organization of Kosciusko county	138
For a road	139
For a road	224
In relation to Kosciusko	260
For an appropriation on a road	283
In relation to the Vistula road	296

EVERTS GUSTAVUS A.

Charges preferred against, as judge	.	.	.	81
Articles of impeachment preferred	.	.	.	272, 278

F

FAYETTE COUNTY.

Members from, appear	.	.	.	3
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(Petitions from.)

For an amendment to Militia Law	.	.	.	32
Of Amelia Wiley, for a divorce	.	.	.	39, 115

FLOYD COUNTY.

Members from, appear	.	.	.	4
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(Petitions from.)

Of William Wilkinson, for a divorce	.	.	.	45
For a Turnpike road from New Albany to Vincennes	.	.	.	77
Same subject	.	.	.	130
On the subject of Internal Improvements	.	.	.	131
For the incorporation of a Savings Institution	.	.	.	173
In relation to a canal around the falls of Ohio	.	.	.	234
For the incorporation of New Albany	.	.	.	234
In relation to an allowance to the Clerk of the Court	.	.	.	307

FOUNTAIN COUNTY.

Members from, appear	.	.	.	3
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(Petitions from.)

On the subject of a road	.	.	.	223
For the election of township trustees	.	.	.	254
For the incorporation of Newtown	.	.	.	256
For a change in a road; also for rail-road	.	.	.	308
Remonstrance against the re-location of a road	.	.	.	340

FRANKLIN COUNTY.

Members from, appear	.	.	.	3
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(Petitions from.)

For a change in the name of Greensboro'	.	.	.	174
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Of O. H. Kelly, for a divorce	308
Of William H. Risk	439

6

GIBSON COUNTY.

Member from, appears	4
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(Petitions from.)

For a road from New Albany to White river	97
On the same subject	217

GOVERNOR.

Annual Message of	12
House go into the committee of the whole on message of	41
Announces his private Secretary	94
Communication from, on the subject of a rail way from Maumee Bay to rapids of Illinois	145
Communication from, in relation to riots on the canal	161

GRANT COUNTY.

Member from, appears	4
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(Petitions from.)

For a road from Chesterfield to Marion	50
For a road from Owensville to the mouth of Potoka	84

GREENE COUNTY.

Member from, appears	4
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(Petitions from.)

Of Margaret Nations, for relief	31
Of Andrew Shinkard	191
In relation to Richland creek	233

H

HAMILTON COUNTY.

Member from, appears	4
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(Petitions from.)

For the location of a state road	244
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For the re-location of a part of a road	.	.	260
Remonstrance against re-locating a road	.	.	308

HANCOCK COUNTY.

Member from, appears	4
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(Petitions from.)

Of O. H. Swim, for relief	323
In relation to the jurisdiction of justices	260

HANOVER COLLEGE.

Annual report of the	60
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HARRISON COUNTY.

Members from, appear	3
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(Petitions from.)

For a road from Mauksport to New Albany	.	.	.	45
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HENDRICKS COUNTY.

Member from, appears	4
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HENRY COUNTY.

Member from, appears	4
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HUNTINGTON COUNTY.

Member from, appears	4
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I

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INDIANA COLLEGE.

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J

JACKSON COUNTY,

Member from, appears	-	-	4
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JEFFERSON COUNTY.

Members from, appear	-	-	3
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(Petitions from.)

Of Frances Means, for a divorce	-	-	27
Of Mary Branham, for sale of land	-	-	45
Of John Sheets for act of incorporation	-	-	87

JENNINGS COUNTY.

Member from, appears	-	-	4
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(Petitions from.)

Of C. R. Hudson and others	-	-	326
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JOHNSON COUNTY,

Member from, appears	-	-	4
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(Petitions from.)

For a change in a road	-	-	284
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K

KNOX COUNTY.

Members from, appear	-	-	4
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(Petitions from.)

Of the school commissioner for sale of certain land	-	-	51
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For the incorporation of the Vincennes academy	-	-	68
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L

LAGRANGE COUNTY.

Member from, appears	-	-	-	-	4
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(Petitions from.)

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LAPORTE COUNTY.

Members from, appear	-	-	-	-	4
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(Petitions from.)

For an additional branch bank &c.	-	-	56
For the location of the 12th branch of the state bank	-	-	60
Of the citizens of attached territory	-	-	162
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In relation to the road to Michigan City	-	-	342
Remonstrance against a road	-	-	383

LAWRENCE COUNTY.

Members from, appear	-	-	-	-	3
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(Petitions from.)

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Of John Milroy	-	-	191
For the incorporation of an insurance company	-	-	200
For an appropriation on a road	-	-	217

M

MADISON COUNTY.

Member from, appears	-	-	-	-	4
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MARION COUNTY.

Member from, appears	-	-	-	-	4
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MARTIN COUNTY.

Member from, appears	-	4
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MIAMI COUNTY.

Member from, appears	-	4
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MONTGOMERY COUNTY.

Members from, appear	4
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To change the name of Somerset	97
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MORGAN COUNTY.

Member from, appears	4
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Member from, appears 4

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Member from appears 4

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Member from, appears 4

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POSEY COUNTY.

Member from, appears	4
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PUTNAM COUNTY.

Members from, appear	3
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R.

RANDOLPH COUNTY.

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For the election of a sergeant at arms to employ assistants and do du- ty of door keeper	-	6	Kilgore	withdrawn	9
To go into election of sergeant at arms	-	7	Evans		7
Informing the Senate of the organization of the House	-	7	Huckleberry		
For a committee to draft rules and orders	-	7	Kilgore	rejected	
For the adoption of rules and joint rules	-	7	Vawter	9	
For furnishing newspapers to members and officers	-	8	Vandever		8
For the admission of reporters within the bar	-	8	Thompson of L.		8
In relation to a chaplain	-	8	Willett	withdrawn	
For a committee to wait on the Rev. Mr. Smith &c.	-	9	Dunning		9
Requesting Sec'y. of State to furnish journals &c. for the members	-	9	Craig of P.		9
For the appointment of a committee to wait upon the Governor &c.	-	9	Thompson of L.		9
To go into the election of judges and prosecuting attorneys	-	10	Brown		10
For additional furniture for the hall and committee rooms	-	11	Morris		11
Reserving the Speaker's lobby for the use of members and privileged spectators &c.	-	11	Huntington		11
Inviting Senate to the hall to hear the Governor's message	-	12	Vawter		12
To print the annual message of the Governor	-	26	Vandever		26
Referring the Governor's message to a committee of the whole	-	26	Willett		26
For a select committee on the subject of apportionment	-	27	Vandever	36	27
Limiting the time for introducing &c. resolutions	-	27	Davis	withdrawn	
On the subject of printing rules	-	28	Willett		28

RESOLUTIONS.

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Permitting Mr. Williams and Mr. Nave to appear before committee of investigation &c.	31	Kilgore		31
Inviting Senate to the Hall to go into election of judges &c.	33	Brown		33
Requesting canal com'rs. to lay before com. certain correspondence	37	Evans		37
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For appeals from justices where fines are three dollars and under	42	Bryan		42
In relation to the law regulating divorces	42	Hannaman		42
Allowing juries to imprison or not in cases of riot	42	Howell		42
A member introducing a subject shall be of the committee to which it is referred	43	Morris		43
To empower board of appraisers on W. & E. C. to administer oaths &c.	43	McCarty		43
For the payment of postage of members	43	Davis		47
Tendering the use of the Hall to the Colonization Society	47	Stapp		47
In relation to issuing writs on Sunday in certain cases	47	Bryan		47
In relation to the West Point academy	47	Clark of W.		47
On the subject of revising the school laws	47	Bennett		47
In relation to writs of habeas corpus	48	Eggleston		48
Referring credentials of members to committee on elections	48	Morris		48
Authorizing justices to enter up judgments on open acct's, where de-fendant does not appear	48	Macey		48
In relation to a general system of internal improvements	48	Ray		48

To compel prosecuting witness to pay costs in certain cases -
 Requesting the Governor to lay before the House certain reports -
 In relation to electing county collectors - - -
 On the subject of revising the militia law - - -
 In relation to repealing 12th sec. of the act regulating distress for rent -
 In relation to transient poor - - -
 In relation to amending the practice act as to juries *de medietate lingue* -
 In relation to a monument at the Tippecanoe battle ground - -
 On the subject of repealing a part of the practice act - - -
 Calling upon Auditor for report of valuation of property - - -
 On the subject of the clerks of the circuit court ordering bail - -
 Requiring justices to certify proceedings &c. to circuit court where
 title to land comes in question - - -
 Abolishing probate court and transferring business to President Judge
 of circuit court - - -
 In relation to the common school system - - -
 Calling upon Auditor for information in relation to the revenue - -
 On the subject of printing the journals - - -
 On the subject of the act concerning free negroes &c. - - -
 On the subject of judgements in probate courts being a lien on real pro-
 perty - - -
 On the subject of extending the Wabash and Erie canal to Vincennes
 On the subject of repealing a part of the insolvent debtor law - -
 On the subject of amending the 30th sec. of act in relation to crime
 and punishment - - -
 On the subject of amending the habeas corpus act - - -
 On the subject of extending the time allowed for filing transcripts &c. -

49 Mr. Posey
 49 Chamberlain
 49 Macey
 49 Miller
 49 Collins
 49 Huckleberry
 50 Kilgore
 51 Brown
 51 Dunning
 51 Craig of P.
 51 Bryan
 52 Johnston
 52 Lee of B.
 52 Chamberlain
 53 Willett
 53 Morris
 53 Vandever
 53 Macey
 54 Myers
 54 Evans
 54 Liston
 54 Carnan
 54 Miller

RESOLUTIONS.

SUBJECT MATTER OF	Introduced.	MOVER'S NAME.	Other proceedings.	Adopted.
Referring so much of the Governor's message as relates to the Governor's circle	54	Mr. Walker of S.		54
In relation to the time of electing members of Congress	54	Gregg		54
On the subject of an amendment to the 70th sec. of the road act	54	Hubbard		54
Referring that part of the Governor's message relating to Wabash appropriation				
Preparing an amendment to 20th sec. of act of frauds &c.	54	Wilson		54
Adding members to the select committee on the apportionment	54	Vawter		54
In relation to the manner in which the contract for printing was made	55	Morris		55
On the subject of guardians applying to probate court to sell land	56	Evans		56
On the subject of taverns and groceries	57	Bryan		57
In relation to amending the 25th sec. of the act providing a fund &c.	57	Vandeveer		57
On the subject of distress for rent	57	McCarthy		57
Making equitable interests and closes in action subject to execution	58	Collins		58
On the subject of amending the road law	58	Collins		58
Referring a portion of the Governor's message	58	Pesey		58
On the subject of executors of their own wrong, being liable &c.	58	Steele		58
That supervisors be punished by indictment for neglect of duty	58	Eggleston	rejected.	58
In relation to the revenue law	58	Hannaman		58
On the subject of abolishing public executions	58	Strain		59
On the subject of making county treasurer the collector &c.	59	Thompson of L.		93
To exempt from military duty officers who have served five years	62	Brown		62
On the subject of collectors' bonds &c.	62	Davis		62
	63	Ray		63

On the subject of printing in pamphlet form the general road laws	63	Storm	63
On the subject of selling property under execution on a credit	63	Poscy	63
On the subject of amendments to the execution law	63	Carnan	63
On the subject of military fines	63	Buell	63
Making the action for trespass on lands transitory	63	Bryan	63
In relation to a convention to adjust a militia system, &c.	63	Chamberlain	72
On the subject of dividing seminary lands in Monroe county into 40 acre lots	72	Denning	72
In relation to printing canal reports, and reports of surveys	72	Huntington	72
On the subject of Printing an extra number of documents	72	do	72
On the subject of repealing so much of the execution law as exempts certain property	72	Vandever	72
On the subject of the county seat of Dearborn	72	Walker of D	72
On the subject of an amendment to the revenue law	73	Murray	73
Calling on the Secretary of State for State prison report, &c.	73	Armstrong	73
On the subject of the improvement of the navigation of the Wabash	73	Myers	73
On the subject of empannelling grand and petit jurors	73	Jones	73
On the subject of establishing a Chancellor's court	74	Brown	74
For an increase of the salary of judges	74	Stapp	93
On the subject of costs in criminal cases	74	Chamberlain	74
On the subject of amending revenue act	74	Miller	74
Authorizing hands to be called to work the road for an indefinite period	74	Craig of P.	74
Authorizing the service of subpoenas by copy	74	Craig of M.	74
On the subject of interest, fixing it at 6 per cent.	75	Lee of B.	75
On the subject of amending 64th section of militia law	75	Miller	75
On the subject of collecting the revenue	75	Macey	75
On the subject of abolishing all musters except one, &c.	75	Morris	75
On the subject of confining persons to vote in their own township	75	Watt	75

RESOLUTIONS.

SUBJECT MATTER OF	Introduced.	Mover's Name.	Other Proceedings.	Adopted.
On the subject of raising pay of members	76	Mr. Clark of W.		76
On the subject of the State taking stock in turnpike companies	76	Bennett		76
On the subject of electing a public printer	76	Huckleberry		76
For an allowance to the witnesses in Nave's case	78	Thompson of L.		78
On the subject of an allowance to commissioner of French Lick Res.	78	Vandever		78
Fixing the ratio of representation at one thousand	79	Walker of S.		
On the subject of giving to sheriffs the preference in the appointment of collector	79	Moore		79
On the subject of the collection of the revenue	79	Smith of R.		79
On the subject of county agent conveying property to himself	79	Hannan		79
On the subject of amending the 57th section of the road law	79	Graham		79
On the subject of amending, &c. the attachment law	80	Posey		80
On the subject of adjourning over the holidays	80	Kilgore	82	
Referring account of Unthank to committee on claims	80	Morris		80
Authorizing Mr. Holman to appear before committee of examination	86	Kilgore		86
On the subject of printing extra copies of canal and other reports	86	Evans		86
On the subject of amending the road law	91	Brown		91
For additional allowance to officers of elections in certain crses	91	Craig of M.		91
For a survey to connect Wabash and Erie canal with White river canal at Black creek	91	Evans		91
Authorizing school commissioners to receive proof in certain cases that taxes had been paid	92	Eggleston		92
On the subject of an amendment to 45th section of the justices act	92	Buell		92

On the subject of a clay turnpike from Indianapolis to Covington, &c.	92	Mr. Morris	92
On the subject of rail roads	92	Smith	92
For the survey of a canal, &c. from Nettle creek to Muncietown	92	Kilgore	92
Authorizing depositions to be taken where witnesses resides more than fifty miles distant	92	Thompson of A.	92
In relation to notifying Judge Everts that charges have been preferred, &c.	93	Kilgore	114
On the subject of the <i>ad valorem</i> system of taxation	93	Dunning	93
On the subject of raising the pay of members, &c.	93	Evans	109
For the survey of a rail road route from Indianapolis to Michigan City	109	Walker of S.	109
On the subject of abolishing election of supervisors, &c.	109	Jones	109
On the subject of internal improvement	110	Davis	110
On the subject of making the jurisdiction, &c. of justices, uniform	110	Ray	110
In relation to tolls on the Wabash and Erie Canal	110	M'Carty	110
Giving the Governor power to commute punishment	110	Thompson of L.	110
On the subject of revising the road law	110	Craig of P.	110
In relation to Mr. Nave	111	Dunning	111
On the subject of bounty lands, &c. to the militia who defended frontier, &c.	111	Morris	111
On the subject of the apportionment	111	Chamberlain	111
On the subject of amending 20th section of justices act	112	Macey	112
On the subject of repairing common roads	112	Whitman	112
On the subject of a branch of the Lawrenceburgh rail road	112	Posey	112
On the subject of making a loan to invest in lands	113	Walker of S.	113
On the subject of parties being witnesses when called on, &c.	113	Bryan	113
On the subject of adjournment	124	Kilgore	124
On the subject of exempting certain property from the payment of tax	119	Davis	119
Authorizing allowances to witnesses in case of Judge Folke	119	Vawter	120

RESOLUTIONS.

SUBJECT MATTER OF

Intro- duced.	Mover's Name.	Other pro- ceedings.	Adopt- ed.
On the subject of a survey for a rail road from Nettle cr. to Ft. Wayne In relation to the Marion county Library	Mr. Edwards Morris		120 120
In relation to the constitutionality of exempting property from execu- tion	Clark of Wash.		120
On the subject of improving the navigation of the Wabash at the rapids	Buell		120
On the subject of electing township school commissioners	Steele		120
In relation to wheat, &c. being assets in the hands of executors, &c.	Hubbard		120
On the subject of changing the law in relation to fees of prosecuting Attorneys	Jones		121
On the subject of a rail road from Shelbyville via Greenfield, &c.	Bardwell		121
On adjourning over	Murray		122
On the subject of attachments issuing on demands not due	Vandeveer		123
On the subject of taverns and groceries	Graham		123
On the subject of amending practice act, &c. in relation to witnesses fees	Brown		124
On the subject of bail in cases of larceny	Whitman		124
On the subject of memorializing Congress for laid	Moore		124
On the subject of continuing the survey of the Wabash and Erie canal	Cushman		124
On the subject of increasing witnesses fees before justices	Boone		124
On the subject of perfecting the <i>ad valorem</i> system of taxation	Steele		124
On the subject of amending 49th section of justices' act	Craig of P.		124
In relation to amending the charter of Wayne and Marion turnpike Co.	Edwards		125
In relation to supervisors on roads, &c.	Wilson		125

On the subject of amending revenue law of last winter	125	Mr. Bennett	125
Providing for publishing and distributing, &c. (See the resolution)	125	Chamberlain	125
On the subject of amending Bank charter as to public deposits	141	Brown	141
In relation to jurisdiction and duties of justices of the peace	141	Morris	141
On the subject of the Michigan road	141	Bryan	141
In relation to the navigation of the Wabash	141	Myers	141
In relation to astray law	141	Johnson	141
On the subject of a clay turnpike from Bloomington to Terre-Haute	141	Harris	141
On the subject of amending probate act	142	Zenor	142
On the subject of recording marks and brands	142	Posey	142
For the survey of a rail road from Princeton to Mount Vernon	142	Craig of P.	142
On the subject of incorporating judicial townships	142	Buell	142
On the subject of electing commissioner of the Michigan road	142	Vawter	142
On the subject of indexing journal and documents	142	Collins	142
On the subject of publishing and distributing to county officers, &c.	142	Chamberlain	142
On the subject of weights and measures	143	Hubbard	143
On the subject of mills and millers	143	Hannaman	143
Attaching certain counties to 12th bank district	143	Chamberlain	143
On the subject of amending justices act	143	Miller	143
On the subject of extending the Jeffersonville and Indianapolis rail road &c.	143	Collins	143
On the subject of foreign attachments	143	Gregg	143
On the subject of an appropriation upon Michigan road	143	Smith	144
On the subject of notes &c. payable at a particular place	144	Collins	144
On the subject of a survey of a canal or rail road route	144	Macey	144
On the subject of the revenue	149	Vandever	149
For the survey of a canal route	149	Graham	149
On the subject of revising the laws	149	Nave	149

RESOLUTIONS.

SUBJECT MATTER OF	Intro- duced.	Mover's Name.	Other Procee- dings.	Adopt- ed.
On the subject of memorializing Congress for a grant of land	149	Mr. Liston		149
In relation to property exempt from execution	149			149
Increasing the terms of circuit courts to three in each year	149	Evans		149
Calling on the Governor for information	150	Clark		150
In relation to practice in chancery	164	Carnan		164
In relation to recording marks	164	Moore		164
In relation to the trial of the right of property	164	Hannaman		164
On the subject of abolishing the poll tax	164	Davis		164
On the subject of a clay turnpike from Rockport to Washington	164	Howell		164
On the subject of repealing the 2d section of the school act	165	Macey		165
On the subject of relief to the sufferers in New York	165	Clark of Wash.		165
On the subject of assessing lands	165	Craig of M.		165
On the subject of amending road law	165	Miller		165
On the subject of the county business being done by the oldest justices	165	Jones		165
In relation to landlords warrants	165	Myers		165
On the subject of the route of the Salem and Ohio turnpike company	165	Armstrong		165
On the subject of amending 28th sec. <i>ad valorem</i> act of last winter	165	Gregg		165
In relation to the establishment of courts of quarter sessions	166	Liston		166
On the subject of adjournment	168	Evans		168
On the subject of a turnpike road from National road through Rushville &c.				
In relation to the claim of Kaufman	168	Posey		168
In relation to a claim of Oliver H. Smith	170	Bennett		170
	171	Mason		171

In relation to valuing property in reference to taxation	171	Mr. Wilson	171
On the subject of a clay turnpike from Evansville to the mouth of Potoka	171	Miller	171
On the subject of loaning the school funds	171	Wilson	171
On the subject of suspending operations on the New Albany and Vincennes road, &c.	173	Miller	173
On the subject of the Seminary and Saline reservations	173	Dunning	173
In relation to the Madison and Jeffersonville rail roads	183	Armstrong	183
In relation to giving to Lawrenceburgh and Madison road companies the credit of State	183	Eggleston	183
On the subject of imposing a penalty on officers elect in militia refusing to serve	183	Miller	183
In relation to a board of internal improvement	193	Dunning	193
In relation to the school money	193	Harrow	193
In relation to making Orleans a point in the Crawfordsville rail road	193	Murray	193
In relation to sheriff of S. C. being keeper of the State house	194	Hannaman	194
Making Danville a point in the Madison rail road	194	Nave	194
In relation to the assessment of damages on the W. and E. canal	194	Thompson of A.	194
In relation to fixing a day for the distribution of school funds	194	Posey	194
Tendering use of hall to the Convention	195	Huckleberry	195
In relation to the witnesses in the case of Everts	195	Liston	195
On the subject of a McAdamized road from N. Albany to the Wabash	195	Wilson	195
In relation to amending the astray law	214	Walker of S.	214
In relation to the election of county commissioners	214	Craig of M.	214
On the subject of revising the laws	214	Huntington	214
In relation to abolishing the office of prosecuting attorney, &c.	214	Hubbard	214
In relation to amending the practice act	214	Walker of S.	214
On the subject of uniting state librarian and keeper of the state house	215	Chamberlain	215

RESOLUTIONS.

SUBJECT MATTER OF	Intro- duced.	MOVER'S NAME.	Other pro- ceedings.	Adopt- ed.
In relation to the election of a canal commissioner	215	Mr. Stapp		215
Informing S. of readiness of H. to go into election of canal com'r.	222	Evans		222
In relation to Judge Everts	232	Kilgore	233	232
In relation to school commissioners and being furnished with the laws	243	Craig of M.		243
In relation to transferring the duties of commissioner of Michigan road	243	Walker of S.		249
In relation to the per cent for settling decedent estates	243	McCarty		243
In relation to setting apart a portion of the revenue for school purposes	248	Huntington	298	299
In relation to revising the laws	248	Kilgore		248
In relation to damages on protested bills of exchange	248	Gregg		248
In relation to the tax on merchandize	249	Vandever		249
In relation to printing road laws for the use of supervisors	249	Boone		249
In relation to fees of jurors	249	Thompson of J.		249
In relation to clerks correcting mistakes of assessors	249	Lee of M.		249
In relation to a witness in the case of Everts	258	Thompson of I.		249
In relation to the same subject	254	"		258
In relation to the same subject	260	"		
In relation to amending <i>ad valorem</i> bill	279	Chamberlain		
In relation to canals and internal improvements	279	Davis		
In relation to orders of day	280	Kilgore		
In relation to <i>femes covert</i> who are minors being authorized to convey real estate	284	Gregg		
In relation to an adjournment <i>sine die</i>	280	Kilgore	332	
In relation to amendment to the criminal act	280	Vandever		

On the subject of impeachments	281	Mr. Clark of Wd.	281
In relation to binding canal reports &c. for the members	281	Evans	282
In relation to the Ohio and Indianapolis rail road company	284	Jackson	284
In relation to the inspection of salt, beef, &c.	292	Howell	292
In relation to taxing dogs	292	Clark of We.	292
In relation to the compensation of prison keepers	292	Posey	292
Tendering the use of the hall to the Senate whilst sitting as a court of impeachment	298	Liston	298
In relation to agents appointed to expend 3 per cent fund	298	Phelps	298
In relation to collectors	298	Craig of P.	298
In relation to amending act regulating ferries	310	Howell	310
In relation to the hours of meeting	310	Huckleberry	310
In relation to compensation to McDonald for attending to suit against In. co.	310	Jones	310
In relation to a claim of Judge Blackford	310	Morris	310
In relation to the claims of witnesses in the case of Everts	332	Chamberlain	332
On same subject	333	Kilgore	333
In relation to a claim of A. S. Blagrove	335	Edmonston	335
Authorizing enrolling clerk to employ assistance	349	Evans	349
On the subject of compensation to the commissioners of state house	349	Willett	349
In relation to compensation to overseers of the poor	350	Posey	350
In relation to a claim of A. Wylie, collector of Tippecanoe county	350	Brown	350
On the subject of night sessions	350	Strain	350
On the subject of affording relief to replevin bail in certain cases	350	Walker of S.	350
In relation to extending prison bounds	350	Lee of M.	350
In relation to an allowance to the Governor	363	Evans	363
In relation to damages on bills of exchange	382	Brown	382
In relation to clerk hire to officers of State	382	Vawter	382

RESOLUTIONS.

SUBJECT MATTER OF	Adopted.			
	Intro-duced.	MOVER'S NAME.	Other proceed-ings.	Adopted.
On the subject of adjournment	382	Mr. Willett		382
On the subject of night sessions	382	Huckleberry		383
On the subject of an allowance to Yandes & Porter	382	Thompson of L.		383
In relation to the claim of John Cowgill	383	Harrow		
In relation to claims for furnishing state house	383	Morris		
On the subject of additional fund commissioners	388	Willett		399
Authorizing assistant clerk to employ assistance	399	Kilgore		399
In relation to the claim of Fiesler	399	Dunning		430
Requesting the Senate to return a message	429	Carnan		
Requesting the Senate to return to the House a certain bill	438	Edmonston		
Tendering thanks to the Speaker	447	Dunning		447
In relation to returning a message to the Senate	460	Stapp		460
In relation to printing and distributing report of com. of ways and means	463	Stapp		463
For a committee to wait upon the Governor	482	Brown		482

JOINT RESOLUTIONS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

553

Number.	TITLES	Introduced.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Passed Sen.	Other proceedings.	Approved.
5	Relative to the payment of postage	46		46	94	118, 130, 151	182
7	On the subject of the Cumberland road	50		59			
8	On the subject of the boundary between the U. S. and Michigan	50	59, 122, 135	59	94	112, 116	182
11	On the subject of maps	59		81	113	126, 138	182
12	On the subject of the pre-emption law	59	66	174	294	310, 361	368
23	For the relief Margaret Nations and others	77	174				
45	On the subject of the compact exempting lands purchased from the U. S. from taxation for five years	111	168				
57	A joint resolution of the state of Indiana	122	219	302	391	416, 423	438
59	On the subject of a purchase of a tract of land of the U. S.	126		126	196	241, 267, 307	337
67	Suspending the operations of an act to provide for an equitable mode &c.	144					
82	Confirming the sale of certain Michigan road lands	163		305	391	403, 427	438
109	Relative to the appointment of a commissioner	195					
116	On the subject of the West Point Academy	203					
131	On the subject of the public lands	216	222				
132	On the subject of granting bounty in land to the mounted militia-men &c. of the last war	240		323		428, 445	450
135	On the subject of furnishing Allen county with Revised Code	243	270, 304				
149	Of the General Assembly of the state of Indiana	249		323		428, 445	450
163	Authorizing a geological and topographical survey of the state	269	317	413	455	476	485

JOINT RESOLUTIONS WHICH ORIGINATED IN THE HOUSE OF REPRESENTATIVES.

Number.	TITLES.	Introduced.	Proceedings in committee of the whole, and in the House.	Passed Ho.	Passed Sen.	Other proceedings.	Approved.
165	In relation to the Marion county library money	269		269	324	362, 376	393
167	Relative to Michigan road lands	270		270	324	362, 376	393
167	For the relief of James Scott	270		270	324	362, 376	399
179	Concerning a donation of land for the education of poor deaf, dumb, and blind person	283		448			
		283	317				

JOINT RESOLUTIONS WHICH ORIGINATED IN THE SENATE.

Number.	TITLES.	Reported from Sen.	Proceedings in committee of the whole and in the House.	Passed Ho.	Other proceedings.	Approved. See S. jour.
3	Praying further appropriations on the National road &c.	65	96	196	236, 308	
4	On the subject of the Michigan territory	66	{ 122, 135,	173	174, 190, 193	
14	Authorizing the reception of the State House from the contractor	126	{ 168, 173	127	144, 151	
45	In relation to a harbor at the mouth of Trail creek	255		256	267, 307	
46	On the subject of the military academy at West Point	390		295	361, 376	
48	Respecting Blackford's Reports	294		337	379, 427	
50	Authorizing Sec'y. of State to furnish Laporte &c with Revised code	294	329	393	443, 453	
63	On the subject of revising the school law	390				

RIPLEY COUNTY.

Member from, appears	4
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(Petitions from.)

For a road from Vevay to Michigan road	.	.	145
For act of incorporation	.	.	256
For a road from Versailles to Manchester	.	.	256

RULES.

Senate adopt joint	.	.	.	.	.	7
Resolution to adopt	.	.	.	.	.	7, 9
Report of committee in relation to	.	.	.	.	.	23
Senate propose to rescind one of the joint	.	.	.	.	.	65
Committee report on joint	.	.	.	.	.	85
Notice to amend given	.	.	.	.	.	122
Proposition to amend	126
Senate concur in amendment to	129

RUSH COUNTY.

Members from, appear	3
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(Petitions from.)

In relation to the road law	218
On the subject of the road law	264
For bridges over Flat Rock	283
Against the election of an additional J. of the P. in said county	463

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SCOTT COUNTY.

Member from, appears	4
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SECRETARY OF STATE.

Makes his annual report	31
Communicates vacancies of the judiciary	32
Communicates return of census	.	.	.	.	55
Communication from in relation to the census	.	.	.	.	121
Communication from in relation to state prison	.	.	.	.	121

SENATE.

Organization of, announced &c	.	.	.	.	7
Appoint a committee to wait on Rev. Mr. Smith	.	.	.	.	10
“ “ “ His excellency the Governor	.	.	.	.	10
Agree to go into election of judges &c.	.	.	.	.	28
Agree to go into election of judge of 4th circuit	.	.	.	.	32
Propose to go into election of director of State Bank	.	.	.	.	38
Request copy of report on Wabash	.	.	.	.	81
Appoint committee to receive state house	.	.	.	.	113
Resolve to sit as a court of impeachment	.	.	.	.	295
Announce their session as a court	.	.	.	.	312
Propose to adjourn <i>sine die</i>	.	.	.	.	342
Request the House of Representatives to return a message	.	.	.	.	460
Appoint a committee to wait on Governor	.	.	.	.	482
Inform the House of a readiness to adjourn	.	.	.	.	486

SERGEANT-AT-ARMS.

Propositions to elect	-	-	-	-	6, 7
John Hargrove elected	-	-	-	-	10

SHELBY COUNTY.

Member from, 'appears	4
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(Petitions from.)

In relation to jurisdiction of justices	-	-	-	-	412
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SPEAKER.

Caleb B. Smith elected	-	-	-	-	5
Appeal from decision of the	-	-	-	-	184
One appointed <i>pro tempore</i>	-	-	-	-	294
Appeal from decision of the	-	-	-	-	458
Valedictory address of	-	-	-	-	486

SPENCER COUNTY.

Member from, appears	-	-	-	-	4
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(Petitions from.)

For an act concerning a road	-	-	-	-	343
For a road from Rockport to Washington	-	-	-	-	344

STATE BANK.

Report from several branches of the	-	-	-	30
“ Indianapolis branch	-	-	-	37
Senate propose to elect director of	-	-	-	38
S. W. Norris elected director of	-	-	-	39, 40
Report of Lafayette branch	-	-	-	44
“ Richmond “	-	-	-	48
“ Directors of	-	-	-	48
“ Lawrenceburgh	-	-	-	50
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SULLIVAN COUNTY.

Member from, appears	-	-	-	-	4
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SWITZELAND COUNTY.

Member from, appears	4
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UNION COUNTY.

Members from, appear	3
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Member from, appears	-	-	-	-	4
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<i>(Petitions from.)</i>					

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VIGO COUNTY.

Member from, appears	-	-	-	-	4
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(Petitions from.)

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WABASH COUNTY.

Member from, appears	-	-	-	-	4
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WARREN COUNTY.

Member from, appears	-	-	-	-	4
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(Petitions from.)

For attaching part of Jasper county to the county of Warren	319
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WARRICK COUNTY.

Member from, appears	4
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WASHINGTON COUNTY.

Members from, appear	3
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WHITE COUNTY.

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WILLIAMS JESSE L.

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